

The National Assembly

—————

STANDING ORDERS

(5th Edition)

Bunge la Taifa

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KANUNI ZA KUDUMU

(Toleo la Tano)

THE NATIONAL ASSEMBLY
STANDING ORDERS

In Exercise of the powers conferred by Article 124 of the Constitution of the Republic of Kenya, the National Assembly, by resolution passed on 9th January, 2013, adopted these Standing Orders and the Houses of Parliament (Joint Sittings) Rules.

If there is a conflict between the different language versions of the Standing Orders, the English Language Version prevails

KANUNI ZA KUDUMU ZA
BUNGE LA TAIFA

Katika utekelezaji wa mamlaka yanayotolewa na Ibara ya 124 ya Katiba ya Jamhuri ya Kenya, Bunge la Taifa, kutokana na uamuzi uliopitishwa mnamo tarehe 9 Januari 2013, liliridhia kanuni hizi pamoja na Masharti ya Vikao vya Pamoja vya Bunge.

Iwapo kutakuwa na mkinzano kati ya matoleo ya lugha tofauti ya kanuni hizi, toleo la Kiingereza ndilo litakalofuatwa

AMENDMENTS

The 5th Edition of the Standing Orders incorporates amendments made by the National Assembly on the following dates-

- (a) 25th April, 2013,
- (b) 6th May, 2013,
- (c) 4th December, 2013,
- (d) 11th June, 2014,
- (e) 28th August, 2014,
- (f) 15th June, 2017,
- (g) 7th December 2017,
- (h) 23rd August 2018, and
- (i) 6th May 2020.

MAREKEBISHO

Toleo hili la 5 la Kanuni za Kudumu linajumuisha marekebisho yaliyofanywa na Bunge la Taifa tarehe zifuatazo -

- (a) Aprili 25, 2013,
- (b) Mei 6, 2013,
- (c) Desemba 4, 2013,
- (d) Juni 11, 2014,
- (e) Agosti 28, 2014,
- (f) Juni 15, 2017,
- (g) Desemba 7, 2017,
- (h) Agosti 23, 2018, na
- (i) Mei 6, 2020.

TABLE OF CONTENTS

PART I— INTRODUCTORY	1
1. In cases not provided for, the Speaker to decide	1
2. Interpretation	2
2A. The Mace.....	4
PART II —SWEARING-IN OF MEMBERS AND ELECTION OF SPEAKER.....	5
3. Proceedings on assembly of a new House.....	5
4. Vacancy in the Office of Speaker	6
5. Nomination of candidates.....	7
6. Secret ballot.....	8
7. Election threshold	9
8. Withdrawal of candidate.....	9
9. Equality of votes.....	9
10. Custody of ballot papers	9
11. Single duly nominated candidate	9
12. Swearing-in of the Speaker.....	10
PART IIA— VACATION OF OFFICE OF SPEAKER AND DEPUTY SPEAKER.....	10
12A. Resignation	10
12B. Removal from Office	10
PART III—DEPUTY SPEAKER AND CHAIRPERSON OF COMMITTEES.....	12
13. Election of Deputy Speaker	12
14. Notification of opening of Parliament.	13
15. Chairperson of Committees of the whole House	13
16. Chairperson’s Panel.....	13
17. Discharge of a Member from Chairperson’s Panel.....	14
18. Presiding in the House.....	14
PART IV- THE LEADER OF THE MAJORITY PARTY AND THE LEADER OF THE MINORITY PARTY	15
19. Leader of the Majority Party and Deputy Leader of the Majority Party	15

YALIYOMO

SEHEMU YA I — UTANGULIZI.....	1
1. Katika hali ambazo jambo lolote halijaelezwa waziwazi, Spika ataamua	1
2. Ufafanuzi.....	2
2A. Mesi.....	4
SEHEMU YA II — KUAPISHWA KWA WAJUMBE NA UCHAGUZI WA SPIKA.....	5
3. Shughuli kwenye kikao cha kwanza cha Bunge jipya la Taifa.....	5
4. Nafasi ya Spika inapokuwa wazi	6
5. Uteuzi wa wagombeaji	7
6. Kura ya siri.....	8
7. Viwango vya upeo wa kuchaguliwa	9
8. Kujiondoa kwa mgombeaji	9
9. Idadi sawa ya kura	9
10. Uhifadhi wa karatasi za kura.....	9
11. Mgombeaji mmoja anapoteuliwa kikamilifu.....	9
12. Kuapishwa kwa Spika	10
SEHEMU YA IIA— KUJIONDOA AU KUONDOLEWA KATIKA OFISI YA SPIKA NA NAIBU SPIKA	10
12A. Kujiuzulu	10
12B. Kuondolewa mamlakani.....	10
SEHEMU YA III—NAIBU SPIKA NA MWENYEKITI WA KAMATI.....	12
13. Uchaguzi wa Naibu Spika	12
14. Arifa ya ufunguzi rasmi wa Bunge.....	13
15. Mwenyekiti wa Kamati za Bunge la Taifa	13
16. Jopo la Mwenyekiti	13
17. Kumwondoa Mjumbe kwenye Jopo la Mwenyekiti	14
18. Kuongoza kikao cha Bunge la Taifa.....	14
SEHEMU YA IV— KIONGOZI WA CHAMA CHA WALIO WENGI NA KIONGOZI WA CHAMA CHA WALIO WACHACHE.....	15
19. Kiongozi wa Chama cha walio Wengi na Naibu Kiongozi wa Chama cha walio Wengi.....	15

20. Leader of the Minority Party and Deputy Leader of the Minority Party 15

PART V – ADDRESS BY PRESIDENT, VISITING DIGNITARY OR OTHER PERSONS 16

21. President's address on opening of new Parliament..... 16
22. President's address on special sittings. 17
23. President's entering or leaving the Chamber..... 17
24. President's address to Parliament..... 17
25. Visiting dignitary 18
- 25A. Designation of a place in the Chamber for Cabinet Secretaries and other persons 18

PART VI - CALENDAR, SITTINGS AND ADJOURNMENTS OF THE HOUSE 18

26. Location of the first sitting of a new House..... 18
27. Regular Sessions of the House..... 19
28. Calendar of the Assembly 19
29. Special Sittings of the House 19
30. Hours of meeting 20
31. Adjournment of the House..... 21
32. *(Deleted)*..... 21
33. Adjournment on a definite matter of urgent national importance 21

PART VII - QUORUM OF THE HOUSE 22

34. Quorum at commencement of the House 22
35. Quorum during the proceedings of the House 22
36. Quorum during voting or division 23
37. Decorum when quorum not present .. 23

PART VIII- ORDER OF BUSINESS 24

38. Order Paper to be prepared and circulated..... 24
39. Weekly programmes of the business of the National Assembly 24

20. Kiongozi wa Chama cha walio Wachache na Naibu Kiongozi wa Chama cha walio Wachache 15

SEHEMU YA V — HOTUBA YA RAIS, MGENI MASHUHURI AU WAGENI WENGINE 16

21. Hotuba ya Rais wakati wa ufunguzi rasmi wa Bunge jipya..... 16
22. Hotuba ya Rais wakati wa vikao maalum 17
23. Rais anapoingia au anapoondoka katika Ukumbi 17
24. Hotuba ya Rais kwa Bunge 17
25. Mgeni mashuhuri..... 18
- 25A. Kutenga sehemu maalum katika Ukumbi kwa ajili ya Mawaziri na watu wengine..... 18

SEHEMU YA VI — KALENDA, VIKAO NA MAAHIRISHO YA BUNGE LA TAIFA..... 18

26. Mahali pa kikao cha kwanza cha Bunge jipya 18
27. Vipindi vya kawaida vya Bunge la Taifa 19
28. Kalenda ya Bunge la Taifa 19
29. Vikao maalum vya Bunge la Taifa 19
30. Saa za vikao..... 20
31. Kuahirisha Kikao..... 21
32. *(Imefutwa)*..... 21
33. Kuahirisha shughuli ili kujadili suala mahususi, la dharura na muhimu kwa taifa 21

SEHEMU YA VII — AKIDI YA BUNGE LA TAIFA 22

34. Akidi wakati wa kuanza kikao 22
35. Akidi wakati wa shughuli za kikao..... 22
36. Akidi wakati wa kupiga kura 23
37. Staha akidi inapokosekana..... 23

SEHEMU YA VIII — MPANGILIO WA SHUGHULI..... 24

38. Ratiba ya Shughuli kutayarishwa na kusambazwa 24
39. Mipango ya kila wiki ya Bunge la Taifa 24

40. Sequence of proceedings	24	40. Mtiririko wa shughuli	24
PART IX- MESSAGES	25	SEHEMU YA IX — JUMBE	25
41. Messages to and from the Senate	25	41. Jumbe za kwenda na kutoka Seneti....	25
42. Messages from the President	26	42. Jumbe kutoka kwa Rais	26
PART IXA – QUESTIONS	27	SEHEMU YA IXA — MASWALI	27
42A. Notice of Question.....	27	42A. Arifa ya Swali	27
42B. General rules on Questions	27	42B. Masharti ya jumla kuhusu Maswali.....	27
42C. Manner of disposing Questions in a Committee.....	29	42C. Namna ya kushughulikia Maswali katika Kamati	29
42D. Questions for written reply.....	30	42D. Maswali yanayohitaji majibu kwa maandishi	30
42E. Timeline for reply.....	30	42E. Muda wa kujibu	30
42F. Report on Questions	30	42F. Ripoti kuhusu Maswali	30
PART X- STATEMENTS.....	31	SEHEMU YA X — KAULI MBALIMBALI.....	31
43. Members’ general statements	31	43. Kauli za jumla za Wajumbe	31
44. Statement Hour.....	31	44. Saa ya Kauli	31
PART XI - APPROVAL OF PUBLIC APPOINTMENTS.....	32	SEHEMU YA XI — KUIDHINISHA UTEUZI WA MAOFISA WA UMMA	32
45. Committal to committees.....	32	45. Kukabidhiwa kwa Kamati.....	32
PART XII- MOTIONS.....	33	SEHEMU YA XII— HOJA.....	33
46. Application	33	46. Matumizi	33
47. Notices of Motions.....	33	47. Arifa za Hoja	33
48. Amendment of Notice of Motion	34	48. Marekebisho kwa Arifa ya Hoja	34
49. Certain Motions not to be moved.....	35	49. Hoja ambazo haziruhusiwi kutolewa.	35
50. Time for moving Motions	35	50. Wakati wa kutoa Hoja	35
51. Motion withdrawn moved again	35	51. Hoja iliyoondolewa kuwasilishwa tena	35
52. Motions which may be moved without Notice.....	35	52. Hoja zinazoweza kutolewa bila Arifa.	35
53. Manner of debating Motions	36	53. Utaratibu wa kujadili hoja	36
54. Amendments to Motions.....	37	54. Marekebisho ya Hoja.....	37
55. Amendments to be in writing.....	38	55. Marekebisho kuwa kwa maandishi	38
56. Amendments to be relevant to Motion.....	38	56. Marekebisho yawiane na Hoja.....	38
57. Question proposed after Motion made	39	57. Hoja kupendekezwa baada ya kuafikiwa	39
58. Motion in possession of the House....	39	58. Hoja inayomilikiwa na Bunge la Taifa	39
59. Question as amended put	39	59. Kutoa Hoja iliyorekebishwa iamuliwe	39
60. When amendment proposed but not made	39	60. Rekebisho lililopendekezwa lisipofaulu.....	39

PART XIII - SPECIAL MOTIONS 39

- 61. Definition of Special Motion 39
- 62. Instances where the Constitution requires a fixed majority 41

PART XIV — PROCEDURE FOR REMOVAL FROM STATE OFFICE..... 42

- 63. Procedure for removal of President on grounds of incapacity..... 42
- 64. Procedure for removal of President by impeachment..... 43
- 65. Procedure for removal of Deputy President..... 45
- 66. Procedure for removal of Cabinet Secretary..... 45
- 67. Right to be heard 47
- 68. Priority of Motion..... 47

PART XV—VOTING AND DIVISIONS 47

- 69. Voting in the House 47
- 70. Electronic voting 48
- 71. Technical failure, confusion or error occurring 48
- 72. Roll call Division claimed..... 49
- 73. Roll call voting..... 49
- 74. In case of confusion or error 50
- 75. Errors corrected..... 50
- 76. Decorum during division 50

PART XVI—RULES OF DEBATE 51

- 77. Proceedings to be in Kiswahili, English or Kenyan Sign Language 51
- 78. Members to address the Speaker 51
- 79. Two or more Members requesting to speak 51
- 80. Speeches may not be read..... 51
- 81. No Member to speak after Question put..... 51
- 82. Speaking twice to a Question..... 51
- 82A. Member who has spoken to question may speak to amendment 52

SEHEMU YA XIII — HOJA MAALUM..... 39

- 61. Maana ya Hoja Maalum 39
- 62. Katiba inapohitaji wingi wa idadi mahususi 41

SEHEMU YA XIV — UTARATIBU WA KUMWONDOA OFISA WA SERIKALI MAMLAKANI 42

- 63. Utaratibu wa kumwondoa Rais mamlakani kwa kushindwa kutekeleza majukumu 42
- 64. Utaratibu wa kumwondoa Rais mamlakani kwa mashtaka..... 43
- 65. Utaratibu wa kumwondoa Naibu Rais mamlakani..... 45
- 66. Utaratibu wa kumwondoa Waziri mamlakani..... 45
- 67. Haki ya kusikilizwa..... 47
- 68. Hoja kupewa kipaumbele..... 47

SEHEMU YA XV – UPIGAJI KURA NA KURA YA MGAWANYIKO 47

- 69. Utaratibu wa kupiga kura katika Bunge la Taifa 47
- 70. Kura ya kielektroniki 48
- 71. Hitilafu ya mitambo, mkanganyiko au kasoro inapotokea..... 48
- 72. Kura ya kuita majina inapodaiwa 49
- 73. Kura ya kuita majina 49
- 74. Mkanganyiko au kasoro inapotokea... 50
- 75. Kurekebisha kasoro..... 50
- 76. Staha wakati wa kura ya mgawanyiko 50

SEHEMU YA XVI - MASHARTI YA MJADALA..... 51

- 77. Shughuli kuendeshwa kwa Kiswahili, Kiingereza au Lugha Ishara ya Kenya . 51
- 78. Wabunge kuelekeza ombi kwa Spika. 51
- 79. Wabunge wawili au Zaidi wanapomba kuchangia 51
- 80. Kutosoma Michango 51
- 81. Mbunge kutozungumza baada ya Hoja kutolewa iamuliwe 51
- 82. Kuchangia Hoja mara mbili 51
- 82A. Mbunge aliyechangia hoja anaweza kuchangia rekebisho 52

82B. Debate on amendment confined to amendment.....	52	82B. Mjadala wa rekebisho kujikita kwenye rekebisho.....	52
82C. Reserving rights of speech.....	52	82C. Kuhifadhi haki ya kuchangia	52
83. Points of Order.....	53	83. Hoja ya Nidhamu	53
84. Personal Statements	53	84. Kauli za Kibinafsi.....	53
85. Anticipating debate.....	53	85. Kuwahi mijadala	54
86. Proceedings of Select Committees not to be referred to	54	86. Kutorejelea shughuli za Kamati.....	54
87. Contents of speeches	54	87. Maudhui ya michango	54
88. Retraction and Apologies	55	88. Kuondoa machukizo na kuomba radhi.....	55
89. Matters sub judice or secret	55	89. Masuala yanayosubiri uamuzi wa Mahakama au masuala ya siri	55
90. Declaration of interest.....	56	90. Kutangaza maslahi ya kibinafsi	56
91. Responsibility for statement of fact.....	56	91. Kuwajibikia madai	56
92. (Deleted).....	56	92. (Imefutwa).....	56
93. (Deleted).....	56	93. (Imefutwa).....	56
94. (Deleted).....	56	94. (Imefutwa).....	56
95. Closure of debate.....	56	95. Kuhitimisha mjadala	56
95A. Resumption of interrupted business....	57	95A. Kuendeleza shughuli iliyositishwa.....	57
96. Adjournment of debate	57	96. Kuahirisha mjadala	57
PART XVII—LIMITATION OF DEBATE	58	SEHEMU YA XVII—KUDHIBITI MJADALA ..	58
97. Limitation of debate.....	58	97. Kudhibiti mjadala	58
PART XVIII—ORDER IN THE HOUSE AND IN COMMITTEE OF THE WHOLE HOUSE	58	SEHEMU YA XVIII - UTULIVU KATIKA UKUMBI NA KATIKA KAMATI YA BUNGE ZIMA.....	58
98. Maintenance of order.....	58	98. Kudumisha utulivu	58
99. Security checks	58	99. Ukaguzi wa kiusalama.....	58
100. Firearms and other offensive weapons	59	100. Bunduki na silaha nyingine hatari	59
101. Lady Members’ handbags	59	101. Mikoba ya Wabunge wa kike	59
102. When the Speaker rises Members to be silent.....	59	102. Wabunge kuwa kimya Spika anaposimama	59
103. Members and the Chair.....	59	103. Wabunge na Kiongozi wa Kikao	59
104. Members to be seated.....	59	104. Wabunge kuketi.....	59
105. Members to remain in their places until the Speaker has left the Chamber	60	105. Wabunge kusalia mahali pao hadi Spika atakapoondoka katika Ukumbi	60
106. Irrelevance or repetition.....	60	106. Kutoka nje ya mada au kurudiarudia..	60
107. Disorderly conduct	60	107. Utovu wa nidhamu	60
107A. Gross disorderly conduct	61	107A. Utovu mkubwa wa nidhamu	61
108. Member may be suspended after being named.....	62	108. Mbunge anaweza kusimamishwa kwa muda baada ya kutajwa jina	62

109. Member suspended to withdraw from precincts of Parliament.....	62	109. Mbunge aliyesimamishwa kuhudhuria vikao vya Bunge kwa muda ataondoka katika maeneo ya Bunge.....	62
110. Duration of suspension of a Member .	63	110. Muda wa Mbunge kusimamishwa kwa muda	63
110A. Effect of suspension.....	63	110A. Athari za kusimamishwa kwa muda ...	63
110B. Appeal against suspension	63	110B. Rufaa dhidi ya kusimamishwa kwa muda	63
111. Action to be taken on refusal to withdraw	65	111. Hatua itakayochukuliwa kwa kukaidi amri ya kuondoka.....	65
112. Grave disorder in the Assembly.....	65	112. Utovu wa nidhamu uliokithiri katika Bunge la Taifa	65
112A. Definition of a day	65	112A. Fasili ya siku.....	65
PART XIX—PUBLIC BILLS.....	65	SEHEMU YA XIX—MISWADA YA UMMA	65
113. Application and limitation	65	113. Matumizi na udhibiti	65
114. Introduction of Bills	65	114. Uwasilishaji wa Miswada.....	65
114A. Speaker to exempt certain legislative proposals	68	114A. Spika kuruhusu baadhi ya mapendekezo ya miswada	68
115. Printing of amending provisions.....	68	115. Kupiga chapa vifungu vinavyorekebisha sheria	68
116. Enacting formula.....	68	116. Kauli tekelezi.....	68
117. Memorandum of Objects and Reasons.....	68	117. Maelezo ya Madhumuni na Sababu.....	68
118. Provisions on delegated powers	69	118. Vifungu kuhusu ukasimishaji wa mamlaka	69
119. Limitation of fundamental rights and freedom	69	119. Udhibiti wa haki na uhuru wa kimsingi	69
120. Publication	69	120. Uchapishaji wa miswada	69
121. Bills concerning county government..	69	121. Miswada inayohusu serikali za kaunti.....	69
122. Procedure upon Publication.....	70	122. Utaratibu baada ya Mswada Kuchapishwa	70
123. (<i>Deleted</i>).....	70	123. (<i>Imefutwa</i>).....	70
124. Not more than one stage of a Bill to be taken at the same sitting.....	71	124. Mswada hautashughulikiwa kwa hatua zaidi ya moja katika kikao kimoja.....	71
125. Reading of Bills.....	71	125. Kusomwa kwa Miswada.....	71
126. First Reading.....	71	126. Kusomwa Mara ya Kwanza	71
127. Committal of Bills to Committees and public participation.....	71	127. Kamati kukabidhiwa Miswada na ushirikishwaji wa umma	71
128. Second Reading.....	72	128. Kusomwa Mara ya Pili	72
129. Second Reading of a Bill to amend the Constitution.....	73	129. Kusomwa Mara ya Pili kwa Mswada wa kurekebisha Katiba.....	73

130. Committal of Bills to Committee of the whole House	73	130. Kukabidhi Miswada kwa Kamati ya Bunge Zima.....	73
131. Referral of proposed amendments to Committees.....	73	131. Mapendekezo ya marekebisho kukabidhiwa Kamati	73
132. Sequence to be observed on a Bill in Committee	73	132. Mtiririko utakaozingatiwa Mswada ukiwa kwenye Kamati	73
133. Procedure in Committee of the whole House on a Bill.....	74	133. Utaratibu wa kushughulikia Mswada katika Kamati ya Bunge Zima.....	74
134. Report of Progress.....	76	134. Ripoti ya hatua iliyofikiwa.....	76
135. Bill to be reported.....	76	135. Mswada kuripotiwa.....	76
136. Procedure on Bills reported from Committee of the whole House.....	77	136. Utaratibu kwa Miswada inayoripotiwa kutoka kwa Kamati ya Bunge Zima	77
136A. Recommital Procedure.....	77	136A. Utaratibu wa Urejeshaji	77
137. Procedure on Bills reported from Select Committees.....	77	137. Utaratibu kwa Miswada inayoripotiwa kutoka kwa Kamati	77
138. Procedure upon the re-committal of a Bill	78	138. Utaratibu utakaotumika Mswada ukirejeshwa kwenye Kamati	78
139. Third Reading	78	139. Kusomwa Mara ya Tatu	78
140. Withdrawal of Bills	79	140. Kuondolewa kwa Miswada	79
141. Lapse and Re-introduction of Bills.....	79	141. kutanguka na kuwasilishwa tena kwa Miswada	79
142. Concurrence of the other House	80	142. Maafikiano na Seneti	80
143. Consideration of Bills originating from the Senate.....	80	143. Utaratibu wa kushughulikia Miswada iliyoanzia Seneti	80
144. Procedure on Senate Bills after Third Reading in the House.....	81	144. Utaratibu wa kushughulikia Miswada ya Seneti baada ya Kusomwa Mara ya Tatu katika Bunge la Taifa	81
145. Senate amendments to Bills originating in the National Assembly	82	145. Marekebisho ya Seneti kwa Miswada iliyoanzia katika Bunge la Taifa	82
146. Consideration of Senate amendments to Bills originating in the National Assembly	82	146. Kushughulikia marekebisho ya Seneti kwa Miswada iliyoanzia katika Bunge la Taifa	82
147. Procedure on Senate Amendments to Bills originating in the National Assembly	82	147. Utaratibu wa kushughulikia marekebisho ya Seneti kwa Miswada iliyoanzia katika Bunge la Taifa	82
148. Conclusion of Consideration of Senate Amendments to Bills originating in the National Assembly.....	82	148. Kuhitimisha kushughulikia marekebisho ya Seneti kwa Miswada iliyoanzia katika Bunge la Taifa	82
149. Mediation Committee	83	149. Kamati ya Upatanisho.....	83
150. Consideration of report of Mediation Committee	83	150. Kushughulikia Ripoti ya Kamati ya Upatanisho	83
151. Special Bill concerning a county government.....	84	151. Mswada Maalum unaohusu serikali za kaunti.....	84
152. Custody of Bills.....	85	152. Uhifadhi wa Miswada	85
153. Presentation of Bills for assent.....	85	153. Kuwasilisha Miswada ipate kibali.....	85

154. Referral of Bills by President	85	154. Miswada iliyorejeshwa na Rais	85
155. <i>(Deleted)</i>	87	155. <i>(Imefutwa)</i>	87
PART XX—PRIVATE BILLS	88	SEHEMU YA XX - MISWADA BINAFSI	88
156. Application of public Bill procedure ..	88	156. Utaratibu wa mswada wa umma kutumika	88
157. Saving clause	88	157. Kifungu cha uhifadhi	88
158. Private Bill affecting private rights	88	158. Mswada Binafsi unaoathiri haki binafsi	88
159. Petition for leave	88	159. Ardhilhali ya Idhini	88
160. Security for cost of printing	89	160. Dhamana ya gharama za uchapishaji	89
161. Bills authorizing construction works ..	89	161. Miswada inayoidhinisha kazi za ujenzi	89
162. First Reading	90	162. Kusomwa Mara ya Kwanza	90
163. Right of audience before Committee on opposed Bill	90	163. Haki ya kusikilizwa na Kamati kuhusu Mswada unaopingwa	90
164. How Bills may be opposed	90	164. Namna Miswada inavyoweza kupingwa	90
165. Printing expenses	90	165. Gharama za kupiga chapa	90
PART XXI—COMMITTEE OF THE WHOLE HOUSE	91	SEHEMU YA XXI - KAMATI YA BUNGE ZIMA	91
166. Limits on consideration of matters by Committee	91	166. Mipaka ya mamlaka ya Kamati	91
167. Committee of the whole House may not adjourn	91	167. Kamati ya Bunge Zima kutojahirisha	91
168. Report	91	168. Ripoti	91
169. No debate on Motion for Report	91	169. Hoja ya Ripoti kutojadiliwa	91
170. General application of rules in Committee	92	170. Matumizi ya jumla ya masharti kwenye Kamati	92
PART XXII—SELECT COMMITTEES	92	SEHEMU YA XXII - KAMATI	92
171. House Business Committee	92	171. Kamati ya Kuratibu Shughuli za Bunge	92
172. Committee on Selection	93	172. Kamati ya kuteua Wajumbe wa Kamati	93
173. Nomination of members of select committees	94	173. Uteuzi wa Wajumbe wa kamati	94
174. Criteria for nomination	94	174. Vigezo vya uteuzi	94
175. Approval of nomination	95	175. Kuidhinisha uteuzi	95
176. Discharge of a member from a committee	96	176. Kuondolewa kwa mjumbe kwenye kamati	96
177. Composition of select committees	96	177. Muundo wa Kamati	96
178. Chairing of select committees and quorum	96	178. Uongozi na akidi ya Kamati	96

179. Conduct of election	97	179. Utaratibu wa uchaguzi.....	97
180. Duties of Committee Chairperson	99	180. Majukumu ya Mwenyekiti wa Kamati	99
181. Notice of meetings.....	99	181. Arifa za mikutano	99
182. Sittings of select committees	99	182. Vikao vya Kamati	99
183. Sub-committees of select committees	100	183. Kamati ndogo za kamati	100
184. Member adversely mentioned not to sit.....	100	184. Mbunge aliyetuhumiwa hatahudhuria mikutano	100
185. Adjournment for lack of quorum.....	100	185. Ahirisho kutokana na akidi kutotimia.....	100
186. Frequency of meetings	100	186. Idadi ya mikutano	100
187. Failure to attend meetings	100	187. kutohudhuria mikutano.....	100
188. Absence of chairperson and vice-chairperson.....	101	188. Kutokuwepo kwa Mwenyekiti na Makamu Mwenyekiti	101
189. List of attendance.....	101	189. Orodha ya mahudhurio	101
190. Minutes of select committees	101	190. Kumbukumbu za kamati	101
191. Powers and privileges of committees	101	191. Mamlaka na Haki za Kamati	101
191A. Procedure if witness fails to appear ..	103	191A. Utaratibu shahidi asipohudhuria	103
192. Temporary absence of a Member of a Select Committee.....	104	192. Mjumbe asipohudhuria kwa muda...	104
193. Vote of no confidence in the Chairperson or Vice-Chairperson	104	193. Hoja ya kutokuwa na Imani na Mwenyekiti au Makamu Mwenyekiti	104
194. Original vote.....	105	194. Kura asilia	105
195. Attendance by non-members of select committee.....	105	195. Kuhudhuria mikutano ya Kamati kwa Wabunge wasio wajumbe wa Kamati.....	105
196. Procedure in select committees.....	106	196. Utaratibu katika Kamati	106
197. Limitation of mandate	106	197. Udhibiti wa wajibu	106
198. Public access to meetings of select committees	107	198. Mikutano ya Kamati kuwa wazi kwa umma	107
199. Reports of Select Committees.....	107	199. Ripoti za Kamati	107
200. Progress reports.....	108	200. Ripoti za hatua zilizofikiwa	108
200A. Exit Reports	108	200A. Ripoti za mwisho wa muhula	108
201. Reports on House Resolutions.....	108	201. Ripoti za maamuzi ya Bunge la Taifa	108
202. Joint sitting of committees of the Assembly	108	202. Mikutano ya Pamoja ya kamati za Bunge la Taifa.....	108
202A. Approval of joint sittings with a Senate Committee	109	202A. Ruhusa ya mikutano ya pamoja na Kamati ya Seneti	109
203. Engagement of experts	109	203. Kushirikisha wataalamu	109
204. Committee on Appointments	110	204. Kamati ya Uteuzi	110
205. Public Accounts Committee.....	110	205. Kamati ya Hesabu za Umma.....	110

205A. Special Fund Accounts Committee... 111	205A. Kamati ya Hesabu za Hazina Maalum 111
206. Public Investments Committee 111	206. Kamati ya Uwekezaji wa Umma 111
207. Budget and Appropriations Committee 113	207. Kamati ya Bajeti na Uidhinishaji wa Matumizi 113
208. Procedure and House Rules Committee 114	208. Kamati ya Utaratibu na Kanuni za Bunge la Taifa 114
209. Committee on Implementation..... 114	209. Kamati ya Utekelezaji 114
210. Committee on Delegated Legislation 115	210. Kamati ya Sheria Ndogo 115
211. Concurrence of Senate’s Resolution on Statutory Instruments..... 118	211. Kuafiki uamuzi wa Seneti kuhusu sheria ndogo 118
212. Committee on Regional Integration 118	212. Kamati ya Utangamano wa Kikanda 118
212A. Procedure for presentation of reports from the East African Legislative Assembly and the Pan-African Parliament..... 119	212A. Utaratibu wa kuwasilisha ripoti za Bunge la Afrika Mashariki na Bunge la Afrika 119
212B. Committee on Members’ Services and Facilities. 120	212B. Kamati ya Huduma na Vifaa kwa Wabunge 120
212C. Committee on National Cohesion and Equal Opportunity 120	212C. Kamati ya Mshikamano wa Kitaifa na Fursa Sawa..... 120
212D. Committee on Parliamentary Broadcasting and Library 121	212D. Kamati ya Utangazaji wa Shughuli za Bunge na Maktaba 121
213. Appointment of Joint Committees 122	213. Uteuzi wa Kamati za Pamoja 122
214. <i>(Deleted)</i> 122	214. <i>(Imefutwa)</i> 122
215. <i>(Deleted)</i> 123	215. <i>(Imefutwa)</i> 123
216. Appointment and mandate of Departmental Committees 123	216. Uteuzi na wajibu wa Kamati za kiidara 123
217. Liaison Committee 125	217. Kamati ya Kuratibu Shughuli za Kamati..... 125
218. Committee to be limited to mandate 125	218. Kamati kujikita katika wajibu 125
PART XXIII—PUBLIC PETITIONS 126	SEHEMU YA XXIII - ARDHILHALI ZA UMMA 126
219. Meaning of Petition..... 126	219. Maana ya Ardhilhali..... 126
220. Submission of a Petition 126	220. Kuwasilishwa kwa Ardhilhali 126
221. Petition on Private Bill..... 127	221. Ardhilhali ya Mswada Binafsi..... 127
222. Notice of intention to present Petition 127	222. Arifa ya nia ya kuwasilisha Ardhilhali..... 127
223. Form of Petition 127	223. Muundo wa Ardhilhali 127
224. Time for Petitions 128	224. Muda wa Ardhilhali 128
225. Presentation of Petitions 128	225. Uwasilishaji wa Ardhilhali 128
226. Comments on petitions 129	226. Maoni kuhusu Ardhilhali 129
227. Committal of Petitions..... 129	227. Ardhilhali kukabidhiwa Kamati..... 129

228. Copies of responses	129	228. Nakala za majibu.....	129
229. Register of Petitions.....	129	229. Sajili ya Ardhillhali.....	129
PART XXIII—PETITION FOR REMOVAL OF A MEMBER OF A COMMISSION OR INDEPENDENT OFFICE.....	130	SEHEMU YA XXIII— ARDHILHALI YA KUMWONDOA MJUMBE WA TUME AU OFISI HURU.....	130
230. Petitions for Removal of a member of a Commission or holder of an Independent Office.	130	230. Ardhillhali ya kumwondoa Mamlakani Mjumbe wa Tume au ofisa wa Ofisi Huru	130
PART XXIV—FINANCIAL PROCEDURES ...	131	SEHEMU YA XXIV – UTARATIBU WA MASUALA YA FEDHA	131
231. Restrictions with regard to certain financial measures	131	231. Udhibiti wa masuala mahususi ya kifedha.....	131
232. Presentation of Budget Policy Statement and the Debt Management Strategy .	132	232. Kuwasilishwa kwa Taarifa ya Sera ya Bajeti na Mkakati wa Kudhibiti Deni	132
233. Consideration of Division of Revenue Bill	135	233. Kushughulikia Mswada wa Kugawa Mapato	135
234. Consideration of County Allocation of Revenue Bill	136	234. Kushughulikia Mswada wa Kutenga Mapato kwa Kaunti.....	136
235. Presentation of Budget Estimates and committal to Committees.....	136	235. Uwasilishaji wa Makadirio ya Bajeti na Kukabidhiwa Kamati	136
236. Committee of Supply	137	236. Kamati ya Ugavi wa Fedha.....	137
237. Definition of day	137	237. Fasili ya siku	137
238. <i>(Deleted)</i>	137	238. <i>(Imefutwa)</i>	137
239. Moving into Committee of Supply....	137	239. Kuingia katika hatua ya Kamati ya Ugavi wa Fedha	137
240. Consideration of Estimates in the Committee of Supply	138	240. Kushughulikia Makadirio kwenye Kamati ya Ugavi wa Fedha.....	138
240A. Consideration of Supply Resolutions	140	240A. Kushughulikia Maamuzi ya Ugavi wa Fedha	140
240B. Appropriation Bill and Equalization Fund Appropriation Bill	141	240B. Mswada wa Kuidhinisha Matumizi ya Fedha na Mswada wa Kuidhinisha Matumizi ya Fedha ya Hazina ya Usawazishaji	141
241. <i>(Deleted)</i>	141	241. <i>(Imefutwa)</i>	141
242. Vote on Account	141	242. Idhini ya kutoa Fedha.....	141
243. Procedure on Supplementary Estimates.....	142	243. Utaratibu wa Makadirio ya Ziada	142
244. <i>(Deleted)</i>	142	244. <i>(Imefutwa)</i>	142
244A. Approval of expenditure of more than ten percent.....	142	244A. Kuidhinisha matumizi yanayozidi asilimia kumi	142
244B. Supplementary Appropriation Bill	143	244B. Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha	143
244C. Pronouncement of the Budget highlights and Revenue raising measures	143	244C. Kutangazwa kwa vidokezo vya Bajeti na mikakati ya ukusanyaji mapato	143
245. Consideration of Finance Bill	144	245. Kushughulikia Mswada wa Fedha	144

PART XXV—JOURNALS, RECORDS AND BROADCAST OF PROCEEDINGS 145

246. Journals of the House..... 145
247. Custody of Journals and Records..... 145
248. Hansard reports 146
249. Secret or personal matters 146
250. Broadcast of House Proceedings 146
251. *(Deleted)*..... 146

PART XXVI—PUBLIC ACCESS TO THE HOUSE AND ITS COMMITTEES 147

252. General provisions on access to the House 147
253. Restriction of access to the Chamber 147
254. Exclusion from the House or committees 147
255. Press representatives infringing Standing Orders or the Speaker’s Rules..... 148

PART XXVII—GENERAL..... 148

256. Exemption of business from Standing Orders 148
256A. Extension of period prescribed 149
256B. Summons by the House 149
257. Attendance before the Senate..... 150
257A. Permission for absence..... 151
258. Failure to attend sittings 151
259. Seating in the Chamber..... 152
259A. Recognition of a Parliamentary Caucus..... 153
260. Members travelling outside Kenya.... 153
261. Expenses of witnesses 154

PART XXVIII—AMENDMENT OF STANDING ORDERS 154

262. Proposals for amendment by the Procedure and House Rules Committee..... 154
263. Amendment on the initiative of a Member 154

SEHEMU YA XXV - MAJARIDA, REKODI NA UPEPERUSHAJI WA MATANGAZO YA VIKAO 145

246. Majarida ya Bunge la Taifa 145
247. Hifadhi ya Majarida na Rekodi za Bunge la Taifa..... 145
248. Taarifa Rasmi 146
249. Mambo ya siri au ya kibinafsi..... 146
250. Upeperushaji wa matangazo ya shughuli za Bunge la Taifa..... 146
251. *(Imefutwa)*..... 146

SEHEMU YA XXVI – BUNGE LA TAIFA NA KAMATI ZAKE KUWA WAZI KWA UMMA 147

252. Masharti ya jumla ya kuingia kwenye Bunge la Taifa 147
253. Udhhibiti wa kuingia katika Ukumbi . 147
254. Kuondolewa bungeni au kwenye Kamati 147
255. Wanahabari wanapokiuka Kanuni hizi au Kanuni za Spika 148

SEHEMU YA XXVII - JUMLA 148

256. Kutengua Kanuni 148
256A. Kuongezwa muda uliotengewa shughuli..... 149
256B. Hati ya Wito..... 149
257. Kufika mbele ya Seneti..... 150
257A. Ruhusa ya kutohudhuria vikao 151
258. Kutohudhuria vikao 151
259. Utaratibu wa kuketi katika Ukumbi.. 152
259A. Kutambuliwa kwa Kikundi cha Wabunge..... 153
260. Wajumbe wanaosafiri nje ya Kenya . 153
261. Gharama za mashahidi 154

SEHEMU YA XXVIII – MAREKEBISHO YA KANUNI 154

262. Mapendekezo ya kurekebisha Kanuni kutoka kwenye Kamati ya Utaratibu na Kanuni za Bunge la Taifa..... 154
263. Rekebisho linalotokana na Mbunge . 154

264. Periodic review of Standing Orders..	155	264. Udurusu wa mara kwa mara ya Kanuni za Kudumu	155
265. Consideration of reports of Procedure and House Rules Committee.....	155	265. Kushughulikia ripoti za Kamati ya Utaratibu na Kanuni za Bunge la Taifa	155
PART XXVIII – CONDUCT OF PROCEEDINGS IN EXCEPTIONAL CIRCUMSTANCES	156	SEHEMU YA XXVIII – UENDESHAJI VIKAO KATIKA HALI ZA KIPEKEE.....	156
265A. Application	156	265A. Matumizi	156
265 B. Alternative sitting arrangements	156	265 B. Mipangilio mbadala ya Vikao	156
265C. Other arrangements	157	265C. Mipango mingine.....	157
265D. Use of technology.....	158	265D. Matumizi ya teknolojia	158
PART XXIX – TRANSITIONAL PROVISIONS	159	SEHEMU YA XXIX – MASHARTI YA MPITO	159
266. National Assembly’s Resolution on Standing Orders.....	159	266. Uamuzi wa Bunge la Taifa kuhusu Kanuni za Kudumu	159
267. Revocation of previous Standing Orders	159	267. Kubatilisha Kanuni za Kudumu za awali	159
267A. Commencement	159	267A. Kuanza kutumika	159
FIRST SCHEDULE.....	160	NYONGEZA YA KWANZA	160
Broadcasting Rules	160	Masharti ya Upeperushaji wa Matangazo ya Shughuli za Bunge.....	160
SECOND SCHEDULE.....	163	NYONGEZA YA PILI	163
Departmental Committees.....	163	Kamati za Kiidara	163
THIRD SCHEDULE.....	165	NYONGEZA YA TATU	165
General Form of a Public Petition	165	Muungo wa Jumla wa Ardhillhali	165
FOURTH SCHEDULE.....	167	NYONGEZA YA NNE	167
Joint Rules of the House of Parliament	167	Masharti ya Vikao vya Pamoja.....	167
FIFTH SCHEDULE.....	171	NYONGEZA YA TANO	171
Form of Nomination Paper.....	171	Muundo wa Hati ya Uteuzi	171
SIXTH SCHEDULE.....	173	NYONGEZA YA SITA.....	173
Form of Oath/Solemn Affirmation by a witness before a Committee.....	173	Muundo wa Kiapo/Kukiri Kuwajibika kwa shahidi aliyefika mbele ya Kamati ya Bunge la Taifa	173
SEVENTH SCHEDULE	174	NYONGEZA YA SABA.....	174
Form of Summons to Witness.....	174	Wito kwa Mashahidi	174
EIGHTH SCHEDULE	175	NYONGEZA YA NANE.....	175
Form of Affidavit of Service of Summons.....	175	Hati ya Kiapo ya Kupokeza Hati ya Wito	175
INDEX	176	FAHARASA.....	176

PRAYER

Almighty God, who in Your wisdom and goodness have appointed the offices of Leaders and Parliaments for the welfare of society and the just government of the people, we beseech You to behold with Your abundant favour, us Your servants, whom You have been pleased to call to the performance of important trusts in this Republic.

Let Your blessings descend upon us here assembled, and grant that we treat and consider all matters that shall come under our deliberation in so just and faithful a manner as to promote Your Honour and Glory, and to advance the peace, prosperity and welfare of our Country and of those whose interests You have committed to our charge.

AMEN

MAOMBI

Ewe Mwenyezi Mungu, ambaye kwa hekima na wema wako umeteua nyadhifa za viongozi na mabunge kwa ustawi wa jamii na utawala wa haki wa wanadamu, twakusihii ututazame kwa neema nyingi sisi watumishi wako, ambao umeridhika kutuita ili tutekeleze shughuli muhimu za Jamhuri hii yetu.

Twakuomba ututeremshie baraka zako sisi tuliokutanika hapa, na utujalie tuyatende na kufikiria mambo yote yatakayofikishwa mbele yetu kwa njia ya haki na uaminifu ili utukufu na sifa zako ziendelezwe, na ili kustawisha amani, ufanisi na heri ya nchi hii yetu na wale ambao haja zao umezikabidhi mikononi mwetu.

AMINA

PART I

INTRODUCTORY

In cases not provided for, the Speaker to decide

1. (1) In all cases where matters are not expressly provided for by these Standing Orders or by other Orders of the House, any procedural question shall be decided by the Speaker.

(2) The decisions made in paragraph (1) shall be based on the Constitution of Kenya, statute law and the usages, forms, precedents, customs, procedures, traditions and practices of the Parliament of Kenya and other jurisdictions to the extent that these are applicable to Kenya.

Interpretation

2. (1) In these Standing Orders—
 - (a) unless the context otherwise requires—

“Allotted Day” means a day set aside for the consideration in Committee of Supply of proposals in respect of the Annual and Supplementary Estimates, as provided by Part XXIV of these Standing Orders;

“Broadcast” includes the live transmission of the proceedings of the House by radio, television or webcast;

“Cabinet Secretary” means a person appointed as a Cabinet Secretary under Article 152(2) of the Constitution;

“Clerk” means the Clerk of the Assembly, or, if the Clerk is absent, or if the office is vacant, such other person as is for the time being performing the duties of the Clerk;

“Leave of the House” means there being no objection by any Member, either with the sympathy of the Speaker or with the support of at least five other Members;

SEHEMU YA I

UTANGULIZI

Katika hali ambazo jambo lolote halijaelezwa waziwazi, Spika ataamua

1. (1) Katika hali ambazo jambo lolote halijaelezwa waziwazi katika Kanuni hizi au kwa Amri nyingine za Bunge la Taifa, basi Spika ataamua utaratibu wa kufuatwa.

(2) Uamuzi utakaofanywa kwa mujibu wa aya ya (1) utazingatia Katiba ya Kenya, sheria za nchi na mazoea, mitindo, uamuzi wa awali, desturi, taratibu, mila na mienendo ya Bunge la Kenya na mabunge mengine, ilimradi matumizi yao yanakubalika Kenya.

Ufafanuzi

2. (1) Katika Kanuni hizi—
 - (a) isipokuwa kama muktadha utahitaji vinginevyo—

“Siku Tengwa” ina maana ya muda uliotengwa kwa Kamati ya Ugavi wa Fedha kushughulikia mapendekezo ya Makadirio ya Mwaka na ya Ziada kulingana na Sehemu ya XXIV ya Kanuni hizi;

“Utangazaji” unajumuisha upeperushaji mbashara wa matukio ya Bunge la Taifa kupitia redio, runinga au matangazo ya mtandaoni;

“Waziri” ina maana ya mtu aliyeteuliwa kuwa Waziri chini ya Ibara ya 152(2) ya Katiba;

“Katibu” ina maana ya Katibu wa Bunge la Taifa au mtu yeyote anayetekeleza majukumu ya Katibu iwapo Katibu hayupo au nafasi yake inapokuwa wazi;

“Idhini ya Bunge la Taifa” ina maana ya kutokuwepo kwa pingamizi kutoka kwa Mbunge yeyote na ikiwa pingamizi ipo, itahitajika kupata ridhaa ya Spika ama Mbunge anayepinga apate uungwaji mkono na Wabunge wasiopungua watano.

“Leader of the Majority Party” means the person who is the leader in the National Assembly of the largest party or coalition of parties under Standing Order 19 (*Leader of Majority Party and Deputy Leader of Majority Party*);

“Leader of the Minority Party” means the person who is the leader in the National Assembly of the second largest party or coalition of parties under Standing Order 20 (*Leader of Minority Party and Deputy Leader of Minority Party*);

“Majority Party” means the largest party or coalition of parties in the National Assembly;

“Majority Whip” means the Member designated as the Majority Whip by the Leader of the Majority Party;

“Member” means a member of the National Assembly;

“Minority Party” means the second largest party or coalition of parties in the National Assembly;

“Minority Whip” means the Member designated as the Minority Whip by the Leader of the Minority Party;

“Notice Paper” means the official schedule of business intended to be transacted by the Assembly during a particular week, published and circulated by the Clerk by order of the House Business Committee under Standing Order 38 (*Order Paper to be prepared and circulated*);

“Kiongozi wa Chama cha walio Wengi” ina maana ya Mbunge ambaye ni kiongozi wa chama au muungano wa vyama wenye idadi kubwa ya Wabunge kwa mujibu wa Kanuni ya 19 (*Kiongozi wa Chama cha walio Wengi na Naibu Kiongozi wa Chama cha walio Wengi*);

“Kiongozi wa Chama cha walio Wachache” ina maana ya Mbunge ambaye ni kiongozi wa chama au muungano wa vyama wenye idadi inayofuatia kwa wingi wa Wabunge kwa mujibu wa Kanuni ya 20 (*Kiongozi wa Chama cha walio Wachache na Naibu Kiongozi wa Chama cha walio Wachache*);

“Chama cha walio Wengi” ina maana ya chama chenye idadi kubwa ya Wabunge au muungano wa vyama wenye idadi kubwa ya Wabunge katika Bunge la Taifa;

“Mratibu wa Chama cha walio Wengi” ina maana ya Mbunge aliyeteuliwa na Kiongozi wa Chama cha walio Wengi kuwa Mratibu wa Chama cha walio Wengi;

“Mbunge” ina maana ya Mbunge wa Bunge la Taifa;

“Chama cha walio Wachache” ina maana ya chama au muungano wa vyama wenye idadi inayofuatia kwa wingi wa Wabunge katika Bunge la Taifa;

“Mratibu wa Chama cha walio Wachache” ina maana ya Mbunge aliyeteuliwa na Kiongozi wa Chama cha walio Wachache kuwa Mratibu wa Chama cha walio Wachache;

“Arifa ya Shughuli” ina maana ya mpangilio rasmi wa shughuli zinazokusudiwa kutekelezwa na Bunge la Taifa kwa wiki na zinazochapishwa na kusambazwa na Katibu kwa amri ya Kamati ya Kuratibu Shughuli za Bunge la Taifa kwa mujibu wa Kanuni ya 38 (*Ratiba ya Shughuli kutayarishwa na kusambazwa*);

“Order Paper” means the paper showing the business to be placed before or taken by the House on a particular day, published and circulated by the Clerk under Standing Order 38 (*Order Paper to be prepared and circulated*);

“Paper” means any printed or electronic material laid on the Table of the House or a committee of the House pursuant to any law or these Standing Orders or any other material as the Speaker may determine;

“Parliamentary Party” means a party or a coalition of parties consisting of not less than five percent of the membership of the National Assembly;

“Party Whip” means a Member designated by a parliamentary party as its party whip for the purposes of the transaction of the business in the House and includes the Majority Whip and the Minority Whip;

“Precincts of Parliament” includes the Chamber of the National Assembly and of the Senate, every part of the buildings in which the Chambers are situated, the offices of Parliament, the galleries and places provided for the use and accommodation of Members of Parliament, members of the public and representatives of the Press and any forecourt, yard, garden, enclosure or open space, appurtenant thereto and used or provided for the purposes of Parliament;

“President” means the President of the Republic of Kenya and includes the Deputy-President when acting as President and any other person who for the time being performs the functions of the President pursuant to Article 146(2) of the Constitution;

“Private Bill” means any Bill, which is intended to affect or benefit some particular person, association or corporate body;

“Public Bill” means a Bill which is intended to affect the public generally, or a section of the public;

“Ratiba ya Shughuli” ina maana ya waraka utakaochapishwa na kusambazwa na Katibu kwa mujibu wa Kanuni ya 38 (*Ratiba ya Shughuli kutayarishwa na kusambazwa*) ikionyesha shughuli zitakazowasilishwa Bungeni au kushughulikiwa na Bunge la Taifa katika siku inayohusika;

“Waraka” ina maana ya ujumbe uliochapishwa au wa kielektroniki au wa namna nyingine yoyote itakayoamuliwa na Spika uliowasilishwa juu ya Meza ya Bunge au kwenye kamati ya Bunge kwa mujibu wa sheria yoyote au Kanuni hizi;

“Chama Bunge” ina maana ya chama au muungano wa vyama wenye angalau asilimia tano ya Wabunge wote;

“Mratibu wa Chama” ina maana ya Mbunge aliyeteuliwa na Chama Bunge kuwa Mratibu wake kwa minajili ya kutekeleza shughuli Bungeni na inajumuisha Mratibu wa Chama cha walio Wengi na Mratibu wa Chama cha walio Wachache;

“Maeneo ya Bunge” inajumuisha Ukumbi wa Bunge la Taifa na ule wa Seneti, sehemu zote za majengo zilipo Kumbi, ofisi za Bunge, sehemu za ndani ya Ukumbi zilizotengewa wageni, sehemu zinazotumiwa na Wabunge, umma na wanahabari na nyuga, ua, bustani, eneo wazi linalomilikiwa au kutengwa kwa matumizi ya Bunge;

“Rais” ina maana ya Rais wa Jamhuri ya Kenya na inajumuisha Naibu wa Rais anapokaimu nafasi ya Rais na mtu yeyote anayetekeleza majukumu ya Rais kwa mujibu wa Ibara ya 146(2) ya Katiba;

“Mswada Binafsi” ina maana ya Mswada wowote unaokusudia kuathiri au kunufaisha mtu fulani, kikundi au shirika;

“Mswada Umma” ina maana ya Mswada wowote unaokusudia kuathiri umma kwa jumla au sehemu ya umma;

“Recess” means a period during which the House stands adjourned to a day other than the next normal sitting day;

“Session” means the sittings of the House commencing when it first meets after a General Election or on a day provided for in Standing Order 27 (*Regular Sessions of the House*) and terminating when the National Assembly adjourns at the end of a calendar year or at the expiry of the term of Parliament;

“Sitting” means a period during which the House is sitting continuously without adjournment and includes any period during which the House is in Committee; but two or more periods of sitting within the normal period of one sitting, or within an equivalent period, shall not rank as more than one sitting;

“Sitting day” means any day on which the Assembly sits;

(b) reference to the Chairperson of Committees includes the Speaker when presiding over a Committee of the whole House or any other Member for the time being so presiding;

(c) reference to the Speaker includes the Deputy Speaker or any other Member when presiding over the Assembly pursuant to Article 107 of the Constitution.

(2) In these Standing Orders, whenever a document is required to be provided or made available to Members, the document shall be considered to have been so provided or made available if placed in the Members’ pigeon holes or in such other manner as the Speaker may direct.

The Mace

2A. The Mace of the House embodies the authority of the Speaker and the House and shall be kept in safe custody by the Serjeant-at-Arms.

“Likizo” ina maana ya muda ambao Bunge la Taifa limeahirishwa hadi siku nyingine ambayo sio ile siku inayofuata siku ya kawaida ya kikao;

“Kipindi” ina maana ya Vikao vya Bunge la Taifa kuanzia linapokutana kwa mara ya kwanza baada ya uchaguzi mkuu au siku inayorejelewa na Kanuni ya 27 (*Vipindi vya Kawaida vya Bunge la Taifa*) na kukamilika Bunge linapoahirishwa mwishoni mwa mwaka au mwishoni mwa muhula wa Bunge;

“Kikao” ina maana ya muda Bunge la Taifa linapoketi kwa mfululizo bila kuahirishwa na inajumuisha muda wowote Bunge linapoketi kama Kamati; lakini vikao viwili au zaidi katika muda wa kawaida wa kikao kimoja, au muda sawa, haitachukuliwa kuwa zaidi ya Kikao kimoja;

“Siku ya Kikao” ina maana ya siku yoyote ambayo Bunge la Taifa linaketi;

(b) Mwenyekiti wa Kamati inajumuisha Spika anapoongoza Kamati ya Bunge zima au Mbunge yeyote anayeongoza kikao;

(c) Spika inajumuisha Naibu Spika au Mbunge yeyote anapoongoza kikao cha Bunge kwa mujibu wa Ibara ya 107 ya Katiba.

(2) Katika Kanuni hizi, kila mara nyaraka zinapohitajika kuwasilishwa kwa Wabunge, itachukuliwa kuwa zimewasilishwa iwapo Wabunge watapatiwa au kuwekewa kwenye visanduku vyao vya barua au kwa namna atakavyoelekeza Spika.

Mesi

2A. Mesi ya Bunge la Taifa ni kielelezo cha mamlaka ya Spika na Bunge la Taifa na itahifadhiwa kwa usalama na Mpambe wa Bunge la Taifa.

PART II

SWEARING-IN OF MEMBERS AND ELECTION OF SPEAKER

Proceedings on assembly of a new House

3. (1) On the first sitting of a new House pursuant to the President's notification under Article 126(2) of the Constitution, the Clerk shall—

- (a) read the notification of the President as published in the *Gazette*;
- (b) lay a list of the names of the persons elected as Members on the Table of the House; and
- (c) administer the Oath or Affirmation of Office provided for in the Third Schedule to the Constitution to all members present in the House in the order set out in paragraph (2).

(2) The Clerk shall administer the Oath or Affirmation of Office to Members in alphabetical order using the following order of precedence—

- (a) Members with the longest cumulative period of service in the Assembly;
- (b) Members with the longest cumulative period of service in the National Assembly, East African Legislative Assembly and the Senate;
- (c) Members with the longest cumulative period of service in the Senate;
- (d) all other Members.

(3) Pursuant to the provisions of Article 74 of the Constitution, no person shall assume or perform any functions of the office of a Member before taking and subscribing to the Oath or Affirmation of Office provided for under paragraph (1).

SEHEMU YA II

KUAPISHWA KWA WABUNGE NA UCHAGUZI WA SPIKA

Shughuli kwenye kikao cha kwanza cha Bunge jipya la Taifa

3. (1) Katika kikao cha kwanza cha Bunge jipya la Taifa kufuatia arifa ya Rais kwa mujibu wa Ibara ya 126 (2) ya Katiba, Katibu –

- (a) atasoma arifa ya Rais kama ilivyotangazwa katika Gazeti Rasmi la Serikali;
- (b) atawasilisha majina ya watu waliochaguliwa kuwa Wabunge juu ya Meza ya Bunge la Taifa; na
- (c) atasimamia kiapo au kukiri kuwajibika katika mamlaka ya ubunge kwa Wabunge wote waliomo katika Ukumbi kwa mujibu wa Nyongeza ya Tatu ya Katiba kwa utaratibu ulioorodheshwa katika aya ya (2).

(2) Katibu atasimamia kiapo au kukiri kuwajibika katika mamlaka ya ubunge kwa kufuata mpangilio wa kialfabeti kwa utaratibu ufuatao –

- (a) Wabunge waliohudumu kwa muda mrefu zaidi kwa jumla katika Bunge la Taifa;
- (b) Wabunge waliohudumu kwa muda mrefu zaidi kwa jumla katika Bunge la Taifa, Bunge la Jumuiya ya Afrika Mashariki na Seneti;
- (c) Wabunge waliohudumu kwa muda mrefu zaidi kwa jumla katika Seneti;
- (d) Wabunge wengine wote.

(3) Kwa mujibu wa Ibara ya 74 ya Katiba, hakuna mtu atakayechukua au kutekeleza majukumu ya ofisi ya Mbunge kabla ya kula kiapo au kukiri kuwajibika mamlaka ya ubunge kulingana na aya ya (1).

(4) When the Clerk is administering the Oath or Affirmation of Office to Members and before the Clerk has administered the Oath or Affirmation of Office to the Speaker, any question arising in the House shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker.

(5) At any other time, the Oath or Affirmation of Office shall be administered by the Speaker immediately after prayers.

(6) When a Member first attends to take his or her seat after the first sitting of the House, the Member shall, before taking his or her seat, be escorted to the Table by two Members and be presented by them to the Speaker who shall then administer to the Member the Oath or Affirmation of Office.

(7) Notwithstanding Standing Order 30 (*Hours of Meeting*), on the day when the election of the Speaker is to be conducted after a general election, the sitting of the House shall commence at 9.00 am.

Vacancy in the Office of Speaker

4. (1) A Speaker shall be elected when the House first meets after a General Election and before the House proceeds with the dispatch of any other business, except the administration of the Oath or Affirmation of Office to Members present.

(2) If the office of Speaker falls vacant at any time before the expiry of the term of Parliament, no business shall be transacted by the House until the election of a new Speaker.

(3) The Deputy Speaker shall preside over the election under paragraph (2) but if the Deputy Speaker is a candidate, a Member elected by the House in accordance with Article 107 of the Constitution.

(4) Katibu anaposimamia Wabunge kula kiapo au kukiri kuwajibikia mamlaka ya ubunge na kabla hajasimamia kiapo cha Spika au kukiri kuwajibikia mamlaka ya Spika, na iwapo suala lolote litaibuka wakati huo litaamuliwa na Katibu ambaye atakuwa na mamlaka ya Spika.

(5) Wakati mwingine wowote ule, Spika atasimamia kiapo cha Wabunge au kukiri kuwajibikia mamlaka ya ubunge mara tu baada ya maombi.

(6) Pindi tu Mbunge anapohudhuria kikao kwa mara ya kwanza baada ya kikao cha kwanza cha Bunge la Taifa na kabla hajaketi, Mbunge huyo atasindikizwa na Wabunge wawili hadi kwenye Meza na kutambulishwa kwa Spika ambaye atasimamia kiapo au kukiri kuwajibikia mamlaka ya ubunge.

(7) Bila kuzingatia masharti ya Kanuni ya 30 (*Saa za Vikao*), siku ambayo uchaguzi wa Spika umepangwa kufanyika baada ya uchaguzi mkuu, kikao cha Bunge kitaanza saa 3.00 asubuhi.

Nafasi ya Spika inapokuwa wazi

4. (1) Spika atachaguliwa katika kikao cha kwanza cha Bunge la Taifa mara tu baada ya Uchaguzi Mkuu na kabla ya shughuli yoyote kufanyika, isipokuwa tu shughuli ya kiapo au kukiri kuwajibikia mamlaka ya ubunge kwa Wabunge walio katika Ukumbi.

(2) Iwapo nafasi ya Spika itakuwa wazi wakati wowote kabla ya muhula wa Bunge kumalizika, hakuna shughuli itakayoendeshwa na Bunge la Taifa hadi Spika mpya atakapochaguliwa.

(3) Naibu Spika ataongoza uchaguzi kwa mujibu wa aya ya (2) lakini iwapo Naibu Spika ni mgombeaji, Mbunge atakayechaguliwa na Bunge la Taifa kwa mujibu wa Ibara ya 107 ya Katiba ataongoza uchaguzi huo.

Nomination of candidates

5. (1) Upon the President notifying the place and date for the first sitting of a new Assembly pursuant to Article 126(2) of the Constitution, the Clerk shall by notice in the *Gazette* notify that fact and invite interested persons to submit their nomination papers for election to the office of Speaker.

(2) The names of candidates for election to the office of Speaker shall be entered upon nomination papers obtained from the Clerk and handed back to the Clerk, at least forty-eight hours before the time appointed at which the House is to meet to elect a Speaker.

(3) The nomination papers of a candidate shall be accompanied by the names and signatures of twenty Members who support the candidate and a declaration by them that the candidate is qualified to be elected as a Member of Parliament under Article 99 of the Constitution and is willing to serve as Speaker of the National Assembly.

(4) The Clerk shall maintain a register in which shall be shown the date and time when each candidate's nomination papers were received and shall ascertain that every such candidate for election to the office of Speaker is qualified to be elected as such under Article 106 of the Constitution.

(5) Immediately upon the close of the nomination period provided for in paragraph (2), the Clerk shall—

- (a) publicize and make available to all Members, a list showing all qualified candidates; and
- (b) make available to all Members, copies of the curriculum vitae of the qualified candidates.

(6) The Clerk shall, at least two hours before the meeting of the Assembly, prepare ballot papers upon which shall be shown the names of all candidates validly nominated under paragraph (5) of this Standing Order.

Uteuzi wa wagombeaji

5. (1) Baada ya Rais kutoa arifa ya mahali na tarehe ya kikao cha kwanza cha Bunge jipya kwa mujibu wa Ibara ya 126 (2) ya Katiba, Katibu, kupitia arifa katika *Gazeti Rasmi* la Serikali, atatoa taarifa ya nafasi ya Spika kuwa wazi na kuwaalika watu wenye nia ya kugombea nafasi hiyo wawasilishe hati zao za uteuzi kwa ajili ya kuchaguliwa kuwa Spika.

(2) Majina ya wagombeaji wa nafasi ya Spika yataorodheshwa kwenye hati za uteuzi na kukabidhiwa Katibu angalau saa arobaini na nane kabla ya wakati uliopangwa kwa Bunge la Taifa kukutana kumchagua Spika.

(3) Hati za uteuzi za mgombeaji zitaambatisha majina na saina za Wabunge ishirini wanaomuunga mkono na tamko linalothibitisha kuwa mgombeaji huyo ana sifa za kuchaguliwa kuwa Mbunge kwa mujibu wa Ibara ya 99 ya Katiba na ameridhia kuhudumu nafasi ya Spika wa Bunge la Taifa.

(4) Katibu atahifadhi sajili ikionyesha tarehe na wakati hati za uteuzi za kila mgombeaji zilipopokewa na atathibitisha iwapo kila mgombeaji katika uchaguzi wa ofisi ya Spika anahitimu kuchaguliwa kama Spika kwa mujibu wa Ibara ya 106 ya Katiba.

(5) Mara tu muda wa uteuzi utakapofungwa kwa mujibu wa aya ya (2), Katibu—

- (a) atatangaza na kuwapa Wabunge wote orodha ya wagombeaji wanaotosheleza mahitaji; na
- (b) atawapa Wabunge wote nakala za wasifukazi za wagombeaji wanaotosheleza mahitaji.

(6) Katibu atatarisha karatasi za kura zinazoonyesha majina ya wagombeaji wote walioteuliwa angalau saa mbili kabla ya Kikao cha Bunge la Taifa kwa mujibu wa aya ya (5) ya Kanuni hii.

Secret ballot

6. (1) The election of the Speaker shall be by secret ballot.

(2) The Clerk shall, at the commencement of each ballot, cause the ballot box, empty and unlocked, to be displayed to the House and shall, in the presence of the House, lock the box, which shall thereafter be kept in the full view of the House until the conclusion of the ballot.

(3) The Clerk shall issue not more than one ballot paper to each Member who comes to the Table to obtain it and each Member who wishes to vote shall proceed to a booth or designated area provided by the Clerk for that purpose and located next to and within reasonable distance of the ballot box and shall, while there, mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote, fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box.

(4) A Member who, before the conclusion of a ballot has marked a paper in error may, by returning it to the Clerk, obtain another in its place and the Clerk shall immediately cancel and destroy the paper so returned.

(5) The Clerk shall make such arrangements as may be necessary to enable any Member with disability to vote.

(6) When it appears to the Clerk that all Members who are present and who wish to vote have placed their ballot papers in the ballot box, the Clerk shall unlock the box, examine the ballot papers, and having rejected those unmarked or spoilt, report the result of the ballot; and no Member who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box.

(7) A ballot paper is spoilt, if in the Clerk's opinion, it does not identify the candidate purported to be selected by the Member voting.

Kura ya siri

6. (1) Uchaguzi wa Spika utafanyika kwa kura ya siri.

(2) Mwanzoni mwa kila shughuli ya kupiga kura, Katibu ataelekeza sanduku tupu lililo wazi lionyeshwe katika Ukumbi kisha atalifunga na kuliweka hadharani kwenye Ukumbi hadi shughuli ya uchaguzi itakapokamilika.

(3) Katibu atampa kila Mbunge atakayekuja kwenye Meza karatasi moja pekee ya kura na kila atakayetaka kupiga kura ataelekeza kwenye eneo lililotengwa na Katibu kwa ajili hiyo na Mbunge huyo ataweka alama kwenye nafasi mkabala na jina la Mgombeaji anayemtaka awe Spika kisha ataikunja na kuitumbukiza karatasi hiyo katika sanduku la kura.

(4) Mbunge ambaye kabla ya shughuli ya upigaji kura kumalizika atakosea katika kuweka alama kwenye karatasi ya kura ataruhusiwa kumrudishia Katibu karatasi hiyo, na papo hapo Katibu ataifuta na kuiharibu kisha kumpa Mbunge huyo karatasi nyingine.

(5) Katibu ataweka mipangilio itakayomwezesha Mbunge yeyote mwenye ulemavu kupiga kura.

(6) Baada ya Katibu kubaini kwamba Wabunge wote walio katika Ukumbi na wanaotaka kupiga kura wamepiga kura na kutumbukiza karatasi za kura kwenye sanduku la kura, Katibu atalifungua sanduku na kukagua karatasi za kura, na akishazikagua, ataziondoa zile zisizo na alama au zilizoharibika kisha atatangaza matokeo ya kura; na hakuna Mbunge atakayeruhusiwa kupiga kura baada ya sanduku kufunguliwa.

(7) Karatasi ya kura itakuwa imeharibika iwapo, kwa maoni ya Katibu, karatasi hiyo haibainishi mgombeaji aliyepigiwa kura.

Election threshold

7. (1) A person shall not be elected as Speaker, unless supported in a ballot by the votes of two-thirds of all Members.

(2) If no candidate is supported by the votes of two-thirds of all Members, the candidate or candidates who received the highest number of votes in the ballot referred to in paragraph (1) and the candidate or candidates who in that ballot received the next highest number of votes shall alone stand for election in a further ballot and the candidate who receives the highest number of votes in the further ballot shall be elected Speaker.

Withdrawal of candidate

8. A candidate may, by written notice to the Clerk, withdraw his or her name before a ballot is started, and in the event of such withdrawal, the Clerk shall cross-out the name of that candidate off any ballot papers issued for that or any subsequent ballot.

Equality of votes

9. If, in the further ballot referred to in Standing Order 7 (*Election threshold*), more than one candidate receives the highest number of votes, the ballot shall again be taken, and if there is an equality of the highest number of votes, a further ballot shall be taken until one candidate obtains more votes than the other or others.

Custody of ballot papers

10. Immediately the results are declared, all the ballot papers used in the election of a Speaker shall be packed and sealed in the presence of the House and kept in the custody of the Clerk for a period of six months and shall thereafter be destroyed.

Single duly nominated candidate

11. Despite the provisions of this Part, if there is only one candidate who has been duly nominated for election as Speaker at the expiry of the nomination period, that candidate shall be declared forthwith to have been elected Speaker without any ballot or vote being required.

Viwango vya upeo wa kuchaguliwa

7. (1) Mgombeaji atachaguliwa kuwa Spika iwapo atapata thuluthi mbili ya kura za Wabunge wote.

(2) Iwapo hakuna mgombeaji aliyepata thuluthi mbili ya kura za Wabunge wote, mgombeaji au wgombeaji waliopata idadi ya juu zaidi ya kura kwa mujibu wa aya ya (1) na mgombeaji au wgombeaji waliopata idadi ya pili kwa wingi wa kura ndio pekee watakapigwa kura katika awamu ya pili na mgombeaji atakayepata kura nyingi zaidi katika awamu ya pili atakuwa amechaguliwa kuwa Spika.

Kujiondoa kwa mgombeaji

8. Mgombeaji anaweza kujiondoa kwenye uchaguzi kwa kumuarifu Katibu kwa maandishi kabla ya shughuli ya uchaguzi kuanza na kujiondoa huko kunapotokea, Katibu atafuta jina la mgombeaji huyo kwenye karatasi za kura ya uchaguzi huo au awamu nyingine ya kura.

Idadi sawa ya kura

9. Iwapo katika awamu nyingine ya kura kwa mujibu wa Kanuni ya 7 (*Viwango vya upeo wa kuchaguliwa*) zaidi ya mgombeaji mmoja atapata kura nyingi, awamu nyingine ya kura itafanywa na iwapo zaidi ya mgombeaji mmoja atapata idadi sawa ya kura, upigaji kura utarudiwa hadi mgombeaji mmoja atakapopata kura nyingi kuliko mwingine au wengine.

Uhifadhi wa karatasi za kura

10. Mara baada ya matokeo kutangazwa, karatasi zote za kura zilizotumiwa katika uchaguzi wa Spika zitakusanywa na kufungwa hadharani, kuhifadhiwa na Katibu kwa muda wa miezi sita na baadaye kuharibiwa.

Mgombeaji mmoja anapoteuliwa kikamilifu

11. Licha ya masharti ya Sehemu hii, iwapo mgombeaji mmoja tu ameteuliwa kwa uchaguzi wa Spika kipindi cha uteuzi kinapomalizika, mgombeaji huyo atatangazwa mara moja kama aliyechaguliwa kuwa Spika bila uchaguzi au kura yoyote kuhitajika.

Swearing-in of the Speaker

12. Immediately following the election of the Speaker, the Clerk shall administer the Oath or Affirmation of Office to the Speaker in the presence of the assembled House.

PART IIA

VACATION OF OFFICE OF SPEAKER AND DEPUTY SPEAKER

Resignation

12A. (1) A Speaker or Deputy Speaker who intends to resign from office shall submit a letter of resignation addressed to the House.

(2) Upon receipt of a letter of resignation, the Clerk shall, without delay, —

(a) in the case of resignation by the Speaker, inform the Deputy Speaker; or

(b) in the case of resignation by the Deputy Speaker, inform the Speaker.

(3) The House shall be notified of a resignation under this Standing Order within seven days.

Removal from Office

12B. (1) A member of the National Assembly, supported by at least one-third of all the members, may move a motion for the removal of the Speaker or Deputy Speaker for—

(a) serious violation of a provision of the Constitution or of any other law including a violation of Chapter Six;

(b) gross misconduct, whether in the performance of the Speaker's or Deputy Speaker's functions or otherwise;

(c) physical or mental incapacity to perform the functions of office;

(d) incompetence; or

(e) bankruptcy.

Kuapishwa kwa Spika

12. Mara tu baada ya uchaguzi wa Spika, Katibu atamlisha kiapo cha Spika au kiapo cha kukiri kuwajibikia mamlaka ya Spika mbele ya Wabunge walio katika Ukumbi.

SEHEMU YA IIA

KUJIONDOA AU KUONDOLEWA KATIKA OFISI YA SPIKA NA NAIBU SPIKA

Kujiuzulu

12A. (1) Spika au Naibu Spika anayekusudia kujiuzulu atawasilisha barua ya kujiuzulu kwa Bunge la Taifa.

(2) Mara tu baada ya kupokea barua ya kujiuzulu, Katibu, bila kuchelewa—

(a) atamjulisha Naibu Spika, iwapo anayejiuzulu ni Spika; au

(b) atamjulisha Spika, iwapo anayejiuzulu ni Naibu Spika.

(3) Bunge la Taifa litajulishwa kuhusu kujiuzulu kwa mujibu wa Kanuni hii katika muda usiozidi siku saba.

Kuondolewa mamlakani

12B. (1) Iwapo Mbunge ataungwa mkono na angalau thuluthi moja ya Wabunge wote, Mbunge huyo anaweza kupendekeza hoja ya kumwondoa Spika au Naibu Spika kutokana na—

(a) ukiukaji mkubwa wa masharti ya Katiba au sheria nyingine ikijumuisha ukiukaji wa Sura ya Sita ya Katiba;

(b) utovu mkubwa wa nidhamu katika utekelezaji wa majukumu ya Spika au Naibu Spika au vinginevyo;

(c) kutokuwa na uwezo wa kimwili au kiakili wa kutekeleza majukumu ya ofisi;

(d) kushindwa kutekeleza majukumu ya ofisi; au

(e) kufilisika.

(2) Before giving Notice of the Motion under paragraph (1), the Member shall deliver to the Clerk a copy of the proposed Motion in writing—

- (a) stating the grounds and particulars upon which the proposed Motion is made;
- (b) signed by the Member;
- (c) signed in support by at least one-third of all the Members of the Assembly.

(3) Upon receipt of the motion by the Clerk, a Member shall not withdraw a signature appended to it.

(4) A Member shall give three days' notice of the motion under paragraph (1) within three days of the approval of the motion.

(5) The Clerk shall set out on the Order Paper on which the Motion is listed—

- (a) the grounds and particulars upon which the proposed Motion is made;
- (b) the name of the Member sponsoring the Motion; and
- (c) the names of the Members in support of the Motion.

(6) If the Motion is passed—

- (a) the Assembly shall appoint a select committee comprising eleven of its Members to investigate the matter; and
- (b) the committee shall, within seven days, investigate and report to the Assembly whether it finds the allegations against the Speaker or Deputy Speaker to be substantiated.

(7) The Speaker or Deputy Speaker has the right to appear and be represented before the select committee during its investigations.

(8) If the select committee reports that it finds the allegations—

- (a) unsubstantiated, no further proceedings shall be taken; or

(2) Kabla ya kutoa arifa ya Hoja kwa mujibu wa aya ya (1), Mbunge atamwasilishia Katibu, kwa maandishi, nakala ya Hoja anayopendekeza—

- (a) ikitaja misingi na maelezo ya Hoja anayopendekeza;
- (b) iliyotiwa sahihi na Mbunge huyo;
- (c) yenye sahihi za uungwaji mkono za angalau thuluthi moja ya Wabunge wote.

(3) Mbunge hataruhusiwa kuondoa sahihi yake ya kuunga mkono hoja mara baada ya Hoja hiyo kupokelewa na Katibu.

(4) Mbunge atatoa arifa ya siku tatu ya hoja iliyotolewa kwa mujibu wa aya ya (1) kwa muda usiopita siku tatu baada ya hoja kuidhinishwa.

(5) Katibu ataorodhesha Hoja kwenye Ratiba ya Shughuli ikibainisha —

- (a) misingi na maelezo ya Hoja iliyopendekezwa;
- (b) jina la Mbunge anayedhamini Hoja; na
- (c) majina ya Wabunge wanaounga mkono Hoja hiyo.

(6) Iwapo Hoja itapitishwa—

- (a) Bunge la Taifa litateua kamati ya Wabunge kumi na mmoja kuchunguza suala hilo; na
- (b) Kamati itachunguza suala hilo kwa muda usiopita siku saba na kulijulisha Bunge la Taifa ikiwa tuhuma dhidi ya Spika au Naibu Spika zinathibitika.

(7) Spika au Naibu Spika ana haki ya kufika na kuwakilishwa mbele ya kamati wakati wa uchunguzi huo.

(8) Iwapo kamati itaripoti kwamba imebaini kuwa tuhuma —

- (a) hazithibitiki, hakuna hatua zaidi zitakazochukuliwa; au

(b) substantiated, the National Assembly shall—

- (i) furnish the Speaker or Deputy Speaker with the report of the select Committee, together with any other evidence adduced and such notes or papers presented to the committee at least three days before the day scheduled for his or her appearance before the Assembly;
- (ii) afford the Speaker or Deputy Speaker an opportunity to be heard;
- (iii) consider the Report of the select committee; and
- (iv) vote whether to approve the resolution requiring the removal from office of the Speaker or Deputy Speaker.

(9) If a resolution requiring the removal from office of a Speaker or Deputy Speaker is supported by at least two-thirds of the Members of the Assembly, the Speaker or Deputy Speaker shall cease to hold office.

PART III

DEPUTY SPEAKER AND CHAIRPERSON OF COMMITTEES

Election of Deputy Speaker

13. (1) As soon as practicable after the election of a Speaker following a General Election, a Deputy Speaker shall be elected.

(2) If the office of Deputy Speaker falls vacant at any time before the end of the term of Parliament, the House shall, as soon as practicable, elect a Member to that office.

(3) The procedure for electing a Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker.

(b) zinathibitika, Bunge la Taifa—

- (i) litampa Spika au Naibu Spika ripoti ya Kamati pamoja na ushahidi mwingine wowote uliotolewa na nyaraka zilizowasilishwa kwenye kamati angalau siku tatu kabla ya siku aliyotengewa kufika mbele ya Bunge la Taifa;
- (ii) litatoa nafasi kwa Spika au Naibu Spika ili kusikilizwa;
- (iii) litashughulikia Ripoti ya Kamati; na
- (iv) litapiga kura iwapo litaidhinisha uamuzi wa kumwondoa Spika au Naibu Spika mamlakani.

(9) Iwapo uamuzi wa kumwondoa Spika au Naibu Spika mamlakani utaugwa mkono na angalau thuluthi mbili ya Wabunge, Spika au Naibu Spika ataondoka mamlakani.

SEHEMU YA III

NAIBU SPIKA NA MWENYEKITI WA KAMATI

Uchaguzi wa Naibu Spika

13. (1) Baada ya uchaguzi Mkuu na haraka iwezekanavyo baada ya uchaguzi wa Spika, uchaguzi wa Naibu Spika utafanyika.

(2) Iwapo nafasi ya Naibu Spika itakuwa wazi wakati wowote kabla ya muhula wa Bunge kumalizika, haraka iwezekanavyo, Bunge la Taifa litamchagua Mbunge yeyote kwenye wadhifa huo.

(3) Utaratibu wa kumchagua Naibu Spika utakuwa sawa na ule uliowekwa kumchagua Spika, ukifanyiwa mabadiliko kadri itakavyohitajika.

Notification of opening of Parliament

14. (1) After taking and subscribing to the Oath or Affirmation of Office under Standing Order 12 (*Swearing-in of the Speaker*), the Speaker shall notify the Members of the place, date and time of the opening of Parliament, which shall be not more than thirty days after the first sitting of the House.

(2) Following the notification by the Speaker under paragraph (1), the sitting of the House shall stand adjourned until the date and time of the opening of Parliament.

Chairperson of Committees of the whole House

15. (1) The Deputy Speaker shall be the Chairperson of Committees and shall preside over all Committees of the whole House.

(2) If the Deputy Speaker is absent, or if the Deputy Speaker considers that it is desirable that he or she should take part in any proceedings in Committee otherwise than as the person presiding, the Speaker shall take the Chair.

Chairperson's Panel

16. (1) There shall be a panel to be known as the Chairperson's Panel which shall comprise four Members to be known, respectively, as the First, Second, Third and Fourth Chairperson of Committees and who shall be entitled to exercise all the powers vested in the Chairperson of Committees.

(2) As soon as practicable, after the election of the Deputy Speaker following a general election, the Speaker shall, in consultation with leaders of parliamentary parties, submit a list of four Members for consideration by the House Business Committee.

(3) The House Business Committee shall, within seven days of receipt of the names of the nominees, table the list in the House and give notice of motion for approval.

Arifa ya ufunguzi rasmi wa Bunge

14. (1) Baada ya kula kiapo au kukiri kuwajibikia mamlaka ya Spika kwa mujibu wa Kanuni ya 12 (*Kuapishwa kwa Spika*), Spika atawaarifu Wabunge mahali, tarehe na saa ya ufunguzi rasmi wa Bunge, ambayo haitakuwa zaidi ya siku thelathini baada ya kikao cha kwanza cha Bunge la Taifa.

(2) Kufuatia arifa ya Spika iliyotolewa kwa mujibu wa aya ya (1), kikao cha Bunge la Taifa kitaahirishwa hadi tarehe na saa ya ufunguzi rasmi wa Bunge.

Mwenyekiti wa Kamati za Bunge la Taifa

15. (1) Naibu Spika atakuwa Mwenyekiti wa Kamati za Bunge la Taifa na ataongoza vikao vya Kamati za Bunge Zima.

(2) Iwapo Naibu Spika hayupo au ameamua kushiriki mjadala wowote kwenye Kamati ya Bunge Zima kama Mbunge wa kawaida, Spika ataongoza kikao kinachohusika.

Jopo la Mwenyekiti

16. (1) Kutakuwa na jopo litakalojulikana kama Jopo la Mwenyekiti litakalojumuishwa Wabunge wanne ambao ni Mwenyekiti wa Kwanza, wa Pili, wa Tatu na wa Nne mtawalia na watatekeleza mamlaka aliyopewa Mwenyekiti wa Kamati.

(2) Kufuatia uchaguzi Mkuu na haraka iwezekanavyo baada ya uchaguzi wa Naibu Spika, Spika akishauriana na viongozi wa vyama bunge, atawasilisha majina ya Wabunge wanne kwa Kamati ya Kuratibu Shughuli za Bunge la Taifa kwa ajili ya kujadiliwa.

(3) Kamati ya Kuratibu Shughuli za Bunge itawasilisha majina ya walioteuliwa Bungeni na kutoa arifa ya Hoja ya kuwaidhinisha kwa muda usiopita siku saba baada ya kuyapokea.

(4) Whenever a Motion for approval under paragraph (3) is moved in the House, no objection against the proposed membership on the Chairperson's Panel of any particular Member shall be permitted and objections, if any, shall be formulated and considered against the proposed membership as a whole.

(5) In nominating the Members of the Chairperson's Panel, the Speaker and the House Business Committee shall have regard to the relative party majorities in the House and shall ensure, so far as shall be practicable, that at least one member of the Panel is from either gender.

Discharge of a Member from Chairperson's Panel

17. (1) The Speaker may, in writing, to the House Business Committee give notice that a member has been discharged from the Panel.

(2) Within seven days of receipt by the House Business Committee of a notice under paragraph (1), the House Business Committee shall consider the notice and give Notice of Motion to replace the Member.

Presiding in the House

18. (1) The Speaker shall preside at any sitting of the House but in absence of the Speaker, the Deputy Speaker shall preside and in absence of the Speaker and the Deputy Speaker, a member elected by the House for that purpose pursuant to Article 107 of the Constitution shall preside.

(2) The approval of the First, Second, Third and Fourth Chairperson of Committees under Standing Orders 16 (*Chairperson's Panel*) shall be deemed to constitute an election for purposes of paragraph (1) and either the First, Second, Third or Fourth Chairperson of Committees may preside over the House in the absence of the Speaker and the Deputy Speaker.

(4) Kila mara Hoja ya kuidhinisha Wanajopo kwa mujibu wa aya ya (3) inapotolewa Bungeni, hakutaruhusiwa pingamizi dhidi ya Mwanajopo mmoja na iwapo pingamizi litakuwapo, litachukuliwa kuwa dhidi ya wanajopo wote.

(5) Katika kuwateua wajumbe wa Jopo la Mwenyekiti, Spika na Kamati ya Kuratibu Shughuli za Bunge watazingatia wingi wa Wabunge katika vyama Bunge na kwa kadri itakavyowezekana, angalau mwanajopo mmoja awe wa jinsia tofauti.

Kumwondoa Mjumbe kwenye Jopo la Mwenyekiti

17. (1) Spika atairifu, kwa maandishi, Kamati ya Kuratibu Shughuli za Bunge la Taifa kuhusu kuondolewa kwa Mjumbe kwenye Jopo la Mwenyekiti.

(2) Kamati ya Kuratibu Shughuli za Bunge la Taifa itashughulikia arifa hiyo na kutoa Arifa ya Hoja ya kumbadilisha mjumbe huyo kwa muda usiozidi siku saba baada ya kupokea arifa kwa mujibu wa aya ya (1).

Kuongoza Kikao cha Bunge la Taifa

18. (1) Spika ataongoza kikao chochote cha Bunge la Taifa na asipokuwepo, kikao kitaongozwa na Naibu Spika na iwapo Spika na Naibu Spika hawapo, Mbunge aliyechaguliwa kwa lengo hilo kuambatana na Ibara ya 107 ya Katiba ataongoza kikao.

(2) Kuidhinishwa kwa Mwenyekiti wa Kwanza, wa Pili, wa Tatu na wa Nne kwa mujibu wa Kanuni ya 16 (*Jopo la Mwenyekiti*) kutachukuliwa kuwa uchaguzi kulingana na aya ya (1) na yeyote kati yao anaweza kuongoza vikao vya Bunge la Taifa iwapo Spika na Naibu Spika hawapo.

PART IV

THE LEADER OF THE MAJORITY PARTY AND THE LEADER OF THE MINORITY PARTY

Leader of the Majority Party and Deputy Leader of the Majority Party

19. (1) The largest party or coalition of parties in the National Assembly shall elect—

- (a) a member of the National Assembly belonging to the party or coalition of parties to be the Leader of the Majority Party;
- (b) a member of the National Assembly belonging to the party or coalition of parties to be the Deputy Leader of the Majority Party.

(2) In electing members under paragraph (1), the largest party or coalition of parties in the National Assembly shall take into account—

- (a) any existing coalition agreement entered into pursuant to the Political Parties Act;
- (b) the need for gender balance.

(3) A member elected under paragraph (2) may be removed by a majority of votes of all members of the largest party or coalition of parties in the National Assembly.

(4) The whip of the largest party or coalition of parties in the National Assembly shall forthwith, upon a decision being made under this Standing Order, communicate to the Speaker, in writing the decision together with the minutes of the meeting at which the decision was made.

Leader of the Minority Party and Deputy Leader of the Minority Party

20. (1) The Minority party or coalition of parties in the National Assembly shall elect—

SEHEMU YA IV

KIONGOZI WA CHAMA CHA WALIO WENGI NA KIONGOZI WA CHAMA CHA WALIO WACHACHE

Kiongozi wa Chama cha walio Wengi na Naibu Kiongozi wa Chama cha walio Wengi

19. (1) Chama au muungano wa vyama wenye idadi kubwa zaidi ya Wabunge katika Bunge la Taifa utamchagua—

- (a) Mbunge kutoka kwenye chama au muungano huo wa vyama kuwa Kiongozi wa Chama cha walio Wengi;
- (b) Mbunge kutoka kwenye chama au muungano huo wa vyama kuwa Naibu Kiongozi wa Chama cha walio Wengi.

(2) Katika kuchagua wajumbe kwa mujibu wa aya ya (1), chama au muungano wa vyama wenye idadi kubwa zaidi ya Wabunge utazingatia—

- (a) mkataba wowote wa muungano ulioafikiwa kwa mujibu wa Sheria ya Vyama vya Siasa;
- (b) umuhimu wa kuwepo kwa usawa wa jinsia.

(3) Mbunge atakayechaguliwa kwa mujibu wa aya ya (2) anaweza kuondolewa kwa wingi wa kura za Wabunge wa chama au muungano wa vyama wenye idadi kubwa zaidi ya Wabunge katika Bunge la Taifa.

(4) Mratibu wa chama au muungano wa vyama wenye idadi kubwa zaidi ya Wabunge katika Bunge la Taifa atamwarifu Spika kwa maandishi haraka iwezekanavyo kuhusu uamuzi uliofanywa kwa mujibu wa Kanuni hii akiambatisha kumbukumbu za kikao kilichofanya uamuzi huo.

Kiongozi wa Chama cha walio Wachache na Naibu Kiongozi wa Chama cha walio Wachache

20. (1) Chama au muungano wa vyama wenye idadi inayofuatia kwa wingi wa Wabunge katika Bunge la Taifa utamchagua—

- (a) a member of the National Assembly belonging to the party or coalition of parties to be the Leader of the Minority Party;
- (b) a member of the National Assembly belonging to the party or coalition of parties to be the Deputy Leader of the Minority Party.

(2) In electing members under paragraph (1), the minority party or coalition of parties in the National Assembly shall take into account—

- (a) any existing coalition agreement entered into pursuant to the Political Parties Act;
- (b) the need for gender balance.

(3) A member elected under paragraph (2) may be removed by a majority of votes of all members of the minority party or coalition of parties in the National Assembly.

(4) The whip of the minority party or coalition of parties in the National Assembly shall forthwith, upon a decision being made under this Standing Order, communicate to the Speaker, in writing the decision together with the minutes of the meeting at which the decision was made.

PART V

ADDRESS BY PRESIDENT, VISITING DIGNITARY OR OTHER PERSONS

President's address on opening of new Parliament

21. (1) The President shall address the opening of each newly elected Parliament.
- (2) At the conclusion of the President's address, the sitting shall stand suspended or adjourned as the Speaker may direct until such time or to such day as may be specified by the Speaker.

- (a) Mbunge kutoka kwenye chama au muungano huo wa vyama kuwa Kiongozi wa Chama cha walio Wachache;
- (b) Mbunge kutoka kwenye chama au muungano huo wa vyama kuwa Naibu Kiongozi wa Chama cha walio Wachache.

(2) Katika kuchagua wajumbe kwa mujibu wa aya ya (1), chama au muungano wa vyama unaofuatia kwa wingi wa idadi ya Wabunge katika Bunge la Taifa utazingatia—

- (a) mkataba wowote wa muungano ulioafikiwa kwa mujibu wa Sheria ya Vyama vya Siasa;
- (b) umuhimu wa kuwepo kwa usawa wa jinsia.

(3) Mbunge atakayechaguliwa kwa mujibu wa aya ya (2) anaweza kuondolewa kwa wingi wa kura za Wabunge wa chama au muungano wa vyama unaofuatia kwa wingi wa idadi ya Wabunge katika Bunge la Taifa.

(4) Mratibu wa chama au muungano wa vyama unaofuatia kwa wingi wa idadi ya Wabunge katika Bunge la Taifa atamwarifu Spika kwa maandishi haraka iwezekanavyo kuhusu uamuzi uliofanywa kwa mujibu wa Kanuni hii akiambatisha kumbukumbu za kikao kilichofanya uamuzi huo.

SEHEMU YA V

HOTUBA YA RAIS, MGENI MASHUHURI AU WAGENI WENGINE

Hotuba ya Rais wakati wa ufunguzi rasmi wa Bunge jipya

21. (1) Rais atahutubia Bunge wakati wa ufunguzi rasmi wa kila Bunge jipya.
- (2) Rais atakapokamilisha hotuba yake, Spika atasitisha au kuahirisha kikao hadi wakati au siku atakayoitaja.

President's address on special sittings

22. (1) The President shall address a special sitting of Parliament once every year and may address Parliament at any other time.

(2) The Speaker shall notify the Members of the place, date and time of a sitting under paragraph (1).

(3) Whenever the Speaker has been informed that the President will address a special sitting of Parliament on a specified day and time, then on that day, no Motion for the adjournment of the House shall be made before the time for which the President's arrival has been notified.

President entering or leaving the Chamber

23. Members shall be called to order and stand in silence whenever the President enters or leaves the Chamber.

President's address to Parliament

24. (1) The President may be accompanied in the Chamber by an Aide-de-Camp.

(2) Whenever the President addresses Parliament, the Speaker of the National Assembly shall take the seat on the right of the President and the Speaker of the Senate shall take the seat on the left of the President.

(3) At any sitting held under this Standing Order, the Speaker of the National Assembly shall preside and shall be assisted by the Speaker of the Senate.

(4) When delivering an address to the House, the President shall be heard in silence and the address shall not be followed by any comment or question.

(5) Whenever the President delivers an Address, a Member may as soon as practicable thereafter, lay the Address on the Table of the House following the reading of such Address.

Hotuba ya Rais wakati wa vikao maalum

22. (1) Rais atahutubia kikao maalum cha Bunge mara moja kila mwaka na anaweza kuhutubia Bunge wakati mwingine wowote.

(2) Kwa mujibu wa aya ya (1), Spika atawaarifu Wabunge kuhusu mahali, tarehe na wakati wa kikao.

(3) Spika anapoarifiwa kwamba Rais atahutubia kikao maalum cha Bunge siku na saa iliyotajwa, siku hiyo hakutakuwa na Hoja ya kuahirisha Bunge kabla ya wakati ambao Rais amepangiwa kuwasili.

Rais anapoingia au anapoondoka katika Ukumbi

23. Rais anapoingia au anapoondoka katika Ukumbi, Wabunge watahitajika kuwa watulivu na kusimama kimya.

Hotuba ya Rais kwa Bunge

24. (1) Rais anaweza kuandamana na Mpambe wake wa kijeshi katika Ukumbi.

(2) Rais anapohutubia Bunge, Spika wa Bunge la Taifa ataketi upande wa kulia wa Rais na Spika wa Seneti ataketi upande wa kushoto wa Rais.

(3) Kikao chochote kitakachofanyika kwa mujibu wa Kanuni hii kitaongozwa na Spika wa Bunge la Taifa akisaidiwa na Spika wa Seneti.

(4) Rais anapohutubia Bunge, Wabunge watahitajika kuwa kimya wakimsikiliza na atakapokamilisha hotuba, hakutakuwa na maoni au swali lolote.

(5) Kila mara baada ya hotuba ya Rais, Mbunge yeyote anaweza kuwasilisha nakala ya hotuba ya Rais kwenye Meza ya Bunge la Taifa haraka iwezekanavyo.

(6) A Member may give a notice of motion that **“The Thanks of the House be recorded for the exposition of public policy contained in the Address of the President delivered on...;”** but debate on the motion shall not exceed four sitting days.

Visiting dignitary

25. (1) The Speaker may, in consultation with the Leader of the Majority Party and the Leader of the Minority Party, allow a visiting Head of State or other such visiting dignitary, to address the Assembly, and may, in consultation with the Speaker of the Senate arrange for a joint sitting of Parliament for purposes of an address by such visiting Head of State or such other visiting dignitary.

(2) Standing Order 23 (*President entering or leaving Chamber*) and paragraphs (1), (3) and (4) of Standing Order 24 (*President’s address to Parliament*) shall, with necessary modifications, apply to visiting Heads of State and such other dignitaries.

Designation of a place in the Chamber for Cabinet Secretaries and other persons

25A. The Speaker may designate a suitable place in the Chamber or at the bar of the House for—

- (a) 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;
- (b) other persons to make submissions or presentations before the House.

PART VI CALENDAR, SITTINGS AND ADJOURNMENTS OF THE HOUSE

Location of the first sitting of a new House

26. Whenever a new House is elected, the President, by notice in the *Gazette*, shall appoint the place and date for the first sitting of the new House, which shall be not more than thirty days after the election.

(6) Mbunge anaweza kutoa arifa ya Hoja kwamba **“Shukrani za Bunge la Taifa zinakiliwe kwa ajili ya ufafanuzi wa sera ya umma kwenye Hotuba ya Rais iliyotolewa mnamo...;”** lakini mjadala kuhusu hoja hiyo hautazidi vikao vinne vya Bunge la Taifa.

Mgeni mashuhuri

25. (1) Spika, kwa kushauriana na Kiongozi wa Chama cha Walio Wengi na Kiongozi wa Chama cha Walio Wachache, anaweza kuruhusu Rais wa taifa lingine au mgeni yeyote mashuhuri kuhutubia Bunge la Taifa na anaweza kushauriana na Spika wa Seneti kupanga kikao cha pamoja cha Bunge kwa ajili ya Rais au mgeni huyo mashuhuri kuhutubia Bunge.

(2) Kanuni ya 23 (*Rais anapoingia au anapoodoka katika Ukumbi*) na aya ya (1), (3) na (4) ya Kanuni ya 24 (*Hotuba ya Rais kwa Bunge*), kadri inavyowezekana, zitatumika wakati Wakuu wa Nchi nyingine na mgeni yeyote mashuhuri anapohutubia Bunge.

Kutenga sehemu maalum katika Ukumbi kwa ajili ya Mawaziri na watu wengine

25A. Spika anaweza kutenga sehemu maalum katika Ukumbi au kwenye Kizuio maalum cha Ukumbi ili —

- (a) Waziri anayehusika na masuala ya fedha atangaze vidokezo vya sera ya bajeti na mikakati ya ukusanyaji wa mapato ya serikali ya taifa kwa mujibu wa Sheria ya Usimamizi wa Fedha za Umma;
- (b) watu wengine watoe mawasilisho yao katika Ukumbi.

SEHEMU YA VI KALENDA, VIKAO NA MAAHIRISHO YA BUNGE LA TAIFA

Mahali pa kikao cha kwanza cha Bunge jipya

26. Kila baada ya Bunge jipya kuchaguliwa, Rais atatoa arifa katika *Gazeti Rasmi* la Serikali akitaja mahali na tarehe ya kikao cha kwanza cha Bunge jipya ambayo haitazidi siku thelathini baada ya uchaguzi.

Regular Sessions of the House

27. (1) Except for the Session commencing immediately after a general election, the regular Sessions of the House shall commence on the second Tuesday of February and terminate on the first Thursday of December.

(2) Despite paragraph (1), the House may, by resolution, alter the dates specified under paragraph (1) in respect of a particular Session.

(3) Subject to paragraph (1), the House shall continue to be in session and may adjourn for such number of days as it may determine in its calendar.

(4) Despite paragraphs (1), (2) and (3), a period of three months shall not intervene between the last sitting of the Assembly in one Session and the first sitting thereof in the next Session.

Calendar of the Assembly

28. (1) The House Business Committee shall, with approval of the House, determine the Calendar of the House.

(2) The Calendar of the House once approved shall be published in the *Gazette*, Parliamentary Website and at least two newspapers of national circulation.

(3) On a day when the Assembly is scheduled to adjourn to a day other than the next normal sitting day in accordance with the parliamentary Calendar, the Speaker shall notify Members of the same, and at the appointed time, the Assembly shall adjourn without question put.

(4) Despite paragraph (2) the Assembly may, by resolution, alter its Calendar or the adjournment date.

Special sittings of the House

29. (1) Whenever during a Session the House stands adjourned, whether or not a day has been appointed for the next meeting, the Speaker may, on the request of the Leader of the Majority Party or the Leader of the Minority Party, appoint a day for a special sitting of the House.

Vipindi vya kawaida vya Bunge la Taifa

27. (1) Vipindi vya kawaida vya Bunge vitaanza Jumanne ya pili ya Februari na kuhitimishwa mnamo Alhamisi ya kwanza ya Desemba isipokuwa Kipindi cha kwanza baada ya uchaguzi mkuu.

(2) Licha ya aya ya (1), Bunge la Taifa linaweza kufanya uamuzi kubadilisha tarehe iliyotajwa katika aya ya (1) kuhusiana na Kipindi mahususi.

(3) Kwa kuzingatia masharti ya aya ya (1), Bunge la Taifa litaendelea na vikao na linaweza kuahirisha vikao hivyo kwa siku kadhaa kama litakavyoamua katika kalenda yake.

(4) Licha ya aya (1), (2) na (3), Bunge la Taifa halitakuwa na mapumziko yanayozidi miezi mitatu kutoka kikao cha mwisho cha Kipindi na kikao cha kwanza cha Kipindi kinachofuata.

Kalenda ya Bunge la Taifa

28. (1) Kamati ya kuratibu shughuli za Bunge la Taifa itapanga Kalenda itakayoidhinishwa na Bunge la Taifa.

(2) Baada ya kuidhinishwa, Kalenda ya Bunge la Taifa itachapishwa kwenye *Gazeti Rasmi la Serikali*, wavuti wa Bunge na angalau kwenye magazeti mawili yanayosambazwa nchini kote.

(3) Siku ambayo imepangwa Bunge la Taifa kuahirishwa hadi siku isiyokuwa ya kawaida ya kikao inayofuata kwa mujibu wa Kalenda ya Bunge la Taifa, Spika atawaarifu Wabunge, na ifikapo wakati wa kuahirisha kikao, Bunge la Taifa litaahirishwa bila kutoa Hoja iamuliwe.

(4) Licha ya aya (2), Bunge la Taifa linaweza kufanya uamuzi wa kubadilisha Kalenda yake au siku ya kuahirishwa kwake.

Vikao maalum vya Bunge la Taifa

29. (1) Wakati wowote katika Kipindi Bunge la Taifa linapokuwa limeahirishwa, iwe siku ya kikao kinachofuata imetajwa au la, Spika anaweza kuamua siku ya kikao maalum cha Bunge la Taifa baada ya kupokea ombi la Kiongozi wa Chama cha walio Wengi au Kiongozi wa Chama cha walio Wachache.

(2) The Speaker may allow a request under paragraph (1) if the Speaker is satisfied that the business proposed to be transacted relates to the matters specified under Standing Order 61 (*Definition of Special Motion*) or other urgent and exceptional business as the Speaker may allow.

(3) The Speaker shall, by notice in the *Gazette*, notify the Members of the place, date and time appointed for the special sitting of the House.

(4) Despite paragraph (1), where the proposed business to be transacted by the House requires the action of the Senate, the Speaker of the National Assembly shall, in writing, notify the Speaker of the Senate of the date appointed for the special sitting.

(5) Whenever the House meets for a special sitting under paragraph (1), the Speaker shall specify the business to be transacted on the day or days appointed and the business so specified shall be the only business before the House during the special sitting, following which the House shall stand adjourned until the day appointed in the parliamentary calendar.

Hours of meeting

30. (1) Unless the Speaker, for the convenience of the House otherwise directs, the House shall meet at 9.30 a.m. on Wednesday and at 2.30 p.m. on Tuesday, Wednesday, and Thursday, but more than one sitting may be directed during the same day.

(2) Unless for the convenience of the House the Speaker or the Chairperson (as the case may be) directs earlier or later interruption of business, at 7.00 p.m. or (if it is an Allotted Day) at 7.30 p.m., on the occasion of an afternoon sitting and at 1.00 p.m. on the occasion of a morning sitting, the Speaker or the Chairperson of Committees shall interrupt the business then under consideration and if the House is in Committee the Chairperson shall leave the Chair and report progress and ask leave to sit again.

(2) Spika anaweza kuruhusu ombi lililotolewa kwa mujibu wa aya ya (1) ikiwa ataridhika kuwa shughuli inayopendekezwa inahusiana na masuala yaliyotajwa katika Kanuni ya 61 (*Maana ya Hoja Maalum*) au shughuli nyingine yoyote ya dharura na ya kipekee kadri Spika atakavyoamua.

(3) Spika atawaarifu Wabunge kupitia tangazo katika *Gazeti* Rasmi la Serikali kuhusu mahali, tarehe na wakati ambao kikao maalum cha Bunge la Taifa kimepangwa kufanyika.

(4) Licha ya aya ya (1), iwapo shughuli ya Bunge la Taifa inayopendekezwa inahitaji Seneti kuchukua hatua, Spika wa Bunge la Taifa atamwarifu Spika wa Seneti kwa maandishi kuhusu tarehe ambayo kikao maalum kimepangwa kufanyika.

(5) Wakati wowote Bunge la Taifa linapokutana kwa kikao maalum kwa mujibu wa aya ya (1), Spika atabainisha shughuli zilizopangwa kushughulikiwa siku hiyo au siku hizo na shughuli hizo pekee ndizo zitakazoshughulikiwa katika kikao hicho na baadaye kikao kitaahirishwa hadi siku iliyotajwa katika kalenda ya Bunge la Taifa.

Saa za vikao

30. (1) Bunge la Taifa litakutana Jumatano saa 3.30 asubuhi na saa 8.30 mchana siku ya Jumanne, Jumatano na Alhamisi isipokuwa kama Spika ataelekeza vinginevyo kwa kuzingatia unafuu wa Bunge la Taifa ingawa kikao zaidi ya kimoja kinaweza kufanyika siku iyo hiyo.

(2) Isipokuwa kama kwa kuzingatia unafuu wa Bunge la Taifa Spika au Mwenyekiti wa Kamati ataelekeza kusitishwa kwa shughuli kabla au baada ya saa iliyoratibiwa, saa 1.00 usiku au saa 1.30 usiku (ikiwa ni Siku Tengwa), kama ni kikao cha mchana na saa 7.00 mchana kikao cha asubuhi, Spika au Mwenyekiti wa Kamati atasitisha shughuli itakayokuwa ikiendelea na iwapo Bunge la Taifa liko katika Kamati ya Bunge Zima, Bunge litarejea na Mwenyekiti ataondoka kwenye Kiti na kutoa taarifa ya hatua iliyofikiwa na kuomba idhini ya kufanya kikao tena.

(3) Notwithstanding paragraphs (1) and (2), the House may resolve—

- (a) to extend its sitting time; or
- (b) to meet at any other time on a sitting day; or
- (c) to meet on any other day, in order to transact business.

(4) A Motion under paragraph (3)(a) shall be moved at least thirty minutes before the time appointed for adjournment.

(5) If at the time appointed for the interruption of business, a division is in progress, or a question is being put from the Chair and a division results immediately thereon, such interruption shall be deferred until after the declaration of the numbers and the result of the division.

(6) Upon the conclusion of all proceedings under paragraphs (2), (3) or (4) of this Standing Order, or upon the earlier completion or deferment of all business standing upon the Order Paper for the sitting, the Speaker shall adjourn the House without question put.

Adjournment of the House

31. (1) A Member may at any time, for reasons stated, seek leave to move “That, this House do now adjourn.”

(2) If the Speaker is of the opinion that such Motion for adjournment of the House is frivolous, vexatious, or an abuse of the proceedings of the House, the Speaker may forthwith put the question thereon or decline to propose it.

(3) The debate on a Motion under this Standing Order shall be confined to the matter of the Motion.

32. (*Deleted*).

Adjournment on definite matter of urgent national importance

33. (1) Any Member may at any time rise in his or her place and seek leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent national importance.

(3) Bila kuzingatia aya ya (1) na ya (2), Bunge la Taifa linaweza kuamua—

- (a) kuongeza muda wa kikao; au
- (b) kukutana saa nyingine yoyote siku ya kikao; au
- (c) kukutana siku nyingine yoyote ili kutekeleza shughuli.

(4) Hoja kwa mujibu wa aya ya (3)(a) itatolewa angalau dakika thelathini kabla ya wakati uliopangwa kuahirisha kikao.

(5) Iwapo wakati uliopangwa kusitisha shughuli umefika na kura ya mgawanyiko inaendelea au hoja imetolewa na Kiongozi wa Kikao ili iamuliwe na kura ya mgawanyiko ikaibuka papo hapo, kikao hakitasitishwa hadi hesabu ya kura na matokeo ya kura ya mgawanyiko kutangazwa.

(6) Spika ataahirisha kikao bila kuhoji Bunge la Taifa pindi shughuli zote zilizopangwa kwenye Ratiba ya shughuli kwa mujibu wa aya ya (2), (3) au (4) ya Kanuni hii zitakapokamilika mapema au kuahirishwa.

Kuahirisha Kikao

31. (1) Wakati wowote Mbunge anaweza kuomba kutoa hoja “Kwamba, kikao cha Bunge la Taifa kiahirishwe sasa” na kutoa sababu.

(2) Iwapo kwa maoni ya Spika Hoja hiyo ya kuahirisha kikao haina maana, inakera au inahujumu shughuli za Bunge la Taifa, Spika anaweza kulihoji Bunge la Taifa kuamua Hoja wakati huo huo au kukataa kuipendekeza.

(3) Mjadala kuhusu Hoja kwa mujibu wa Kanuni hii utajikita katika masuala yaliyo kwenye Hoja husika.

32. (*Imefutwa*).

Kuahirisha shughuli ili kujadili suala mahususi, la dharura na muhimu kwa taifa

33. (1) Mbunge yeyote anaweza kusimama mahali pake wakati wowote na kuomba kutoa Hoja ya kuahirisha shughuli za Bunge ili kujadili suala mahususi, la dharura na muhimu kwa taifa.

2) A Member who wishes to seek leave to move the adjournment of the House shall, at least two hours before the commencement of the sitting, hand to the Speaker a written notification of the matter but the Speaker shall refuse to allow the claim, unless the Speaker is satisfied that the matter is definite, urgent and of national importance and may properly be raised on a Motion for adjournment of the House.

(3) If the Speaker is satisfied in terms of paragraph (2) and not less than twenty other Members rise in their places in support, the Speaker shall nominate a time on the same day at which such Motion may be moved.

(4) No Member speaking on a matter under this Standing Order shall speak for more than five minutes without the leave of the House, except that the Mover may speak for ten minutes.

PART VII

QUORUM OF THE HOUSE

Quorum at commencement of the House

34. (1) A quorum of the House or of a Committee of the whole House shall be fifty Members.

(2) If there is not a quorum present when the Chair is taken, at the time appointed for a meeting of the House, immediately after the saying of the prayer, the Speaker shall order the bell to be rung for ten minutes, and if no quorum is present at the expiration of the ten minutes, the Speaker may direct that the bell be rung for a further five minutes and if there is still no quorum present, the Speaker shall adjourn the House forthwith to the next sitting.

Quorum during the proceedings of the House

35. (1) If at any time after the Chair is taken, or when the House is in Committee, a Member objects that there is not a quorum present, the Speaker or the Chairperson shall count the Members in the House or the Committee as the case may be.

(2) Mbunge anayekusudia kutoa hoja ya kuahirisha shughuli za Bunge la Taifa atawasilisha kwa Spika arifa iliyoandikwa ikibainisha suala husika angalau saa mbili kabla kikao kuanza, hata hivyo, Spika hataruhusu Hoja hiyo iwapo hajaridhika kuwa suala hilo ni mahususi, la dharura na muhimu kwa taifa na linafaa kutolewa kupitia Hoja ya kuahirisha shughuli za Bunge la Taifa.

(3) Iwapo Spika ameridhika kwa mujibu wa aya ya (2) na Wabunge wasiopungua ishirini wamesimama kuunga mkono hoja hiyo, Spika atataja wakati wa kutoa hoja siku iyo hiyo.

(4) Mbunge anayezungumzia suala kwa mujibu wa Kanuni hii hataongea kwa zaidi ya dakika tano bila idhini ya Bunge la Taifa, isipokuwa Mtoahoja anaweza kuongea kwa dakika kumi.

SEHEMU YA VII

AKIDI YA BUNGE LA TAIFA

Akidi wakati wa kuanza kikao

34. (1) Akidi ya Bunge la Taifa au Kamati ya Bunge Zima itakuwa ni Wabunge hamsini.

(2) Iwapo akidi haijatumia wakati wa kuanza kikao cha Bunge pindi tu baada ya maombi, Spika ataamuru kengele kukirizwa kwa dakika kumi na, iwapo akidi haitatumia baada ya dakika kumi, Spika anaweza kuamuru kengele kukirizwa kwa dakika tano zaidi na iwapo akidi bado haijatumia, Spika ataahirisha kikao papo hapo hadi kikao kijacho.

Akidi wakati wa shughuli za Kikao

35. (1) Iwapo Mbunge yeyote atadai kuwa akidi haijatumia katika kikao wakati wowote kikao cha Bunge la Taifa au Kamati kinapoendelea, Spika au Mwenyekiti atahesabu Wabunge walio katika Ukumbi au Kamati.

(2) If on the count under paragraph (1) a quorum does not appear to be present, the Speaker or the Chairperson shall cause the division bell to be rung as on a division, and if no quorum is present at the expiration of the ten minutes—

- (a) if the Speaker is in the Chair, the Speaker shall adjourn the House until the next sitting without question put;
- (b) if the House is in Committee, the Chairperson shall leave the Chair and report the fact to the Speaker, who shall adjourn the House until the next sitting without question put.

(3) Whenever the Speaker or the Chairperson, as the case may be, is engaged in counting the House or the Committee respectively, the doors shall remain unlocked but no Member shall be allowed to leave the Chamber, except a party whip who may be permitted to leave the Chamber to seek the Members required to raise a quorum.

Quorum during voting or division

36. If, from the number of Members taking part in an electronic voting or roll call division, it appears that the Members do not themselves constitute a quorum, the vote or division shall be invalid and the business then under consideration shall stand over until the next sitting and the Speaker shall proceed as if his or her attention had been drawn to the absence of a quorum, but if after so proceeding a quorum is then present, the next business shall be entered upon.

Decorum when quorum not present

37. When the Quorum bell is ringing, Members shall maintain order in the House.

(2) Iwapo akidi haitatimia baada ya hesabu kwa mujibu wa aya ya (1), Spika au Mwenyekiti ataamuru kengele ikirizwe kama inavyofanyika wakati wa kura ya mgawanyiko na iwapo akidi haitatimia baada ya dakika kumi kumalizika —

- (a) kama Spika anaongoza kikao, ataahirisha kikao hadi kikao kinachofuata bila kuhoji Bunge;
- (b) kama Bunge lipo kwenye Kamati, Mwenyekiti ataondoka kwenye Kiti na kuripoti kwa Spika kuhusu tukio hilo na Spika ataahirisha kikao hadi kikao kinachofuata bila kuhoji Bunge.

(3) Wakati wowote Spika au Mwenyekiti anapohesabu Wabunge walio katika Bunge la Taifa au kwenye Kamati, milango itasalia wazi lakini hakuna Mbunge atakayeruhusiwa kutoka katika Ukumbi isipokuwa Mratibu wa chama ambaye anaweza kuruhusiwa kutoka katika Ukumbi kwa ajili ya kutafuta Wabunge ili kutimiza akidi.

Akidi wakati wa kupiga kura

36. Iwapo wakati wa kupiga kura ya kielektroniki au kura ya mgawanyiko kwa kuita majina inadhihirika kuwa idadi ya Wabunge wanaoshiriki kupiga kura haikidhi akidi, kura hiyo itakuwa batili na shughuli iliyokuwa ikiendelea itaahirishwa hadi kikao kinachofuata na Spika atachukua hatua kama kwamba amearifiwa kuwa akidi haijatimia, ila ikiwa akidi itatimia baada ya kuchukua hatua hizo, shughuli inayofuata itaendelea.

Staha akidi inapokosekana

37. Kengele ya Akidi inapokirizwa Wabunge watahitajika kudumisha utulivu katika Ukumbi.

PART VIII

ORDER OF BUSINESS

Order Paper to be prepared and circulated

38. (1) The Order Paper shall be prepared by the Clerk, showing the business proposed to be transacted to be placed before or taken by the House and the order in which it is to be taken, including a notice paper showing the business for each sitting day of the week, together with such other information as the Speaker may from time to time direct.

(2) The Order Paper shall be published on the parliamentary website and shall be made available to Members, at least twelve hours before the House meets, but a supplementary Order Paper shall be made available at least one hour before the House meets.

Weekly programmes of the business of the National Assembly

39. The Clerk shall prepare and publish on the parliamentary website, weekly programmes showing the business of the House and the schedule of sittings of the various committees, and shall circulate such programmes to Members, State Departments, and the media not later than the Friday of the week preceding such business.

Sequence of proceedings

40. (1) Each day after Prayers have been said and the House has been called to order, the Business of the House shall be proceeded with in the following sequence—

- (i) Administration of Oath;
- (ii) Communication from the Chair;
- (iii) Messages;
- (iv) Petitions;
- (v) Papers;
- (vi) Notices of Motion;
- (vii) Questions and Statements;
- (viii) Motions and Bills.

SEHEMU YA VIII

MPANGILIO WA SHUGHULI

Ratiba ya Shughuli kutayarishwa na kusambazwa

38. (1) Katibu atatarisha Ratiba ya Shughuli inayoonyesha mpangilio wa shughuli ambazo zimependekezwa au zimepangwa kushughulikiwa na Bunge la Taifa, ikijumuisha Arifa ya Shughuli inayoonyesha shughuli zinazokusudiwa kutekelezwa kwa kila kikao katika wiki, pamoja na taarifa yoyote ambayo Spika anaweza kuelekeza kadri itakavyohitajika.

(2) Ratiba ya Shughuli itawekwa kwenye wavuti wa Bunge na kusambazwa kwa Wabunge angalau saa kumi na mbili kabla ya kikao kuanza, isipokuwa kama kutakuwa na Ratiba ya Shughuli ya Nyongeza itakayosambazwa angalau saa moja kabla ya kikao kuanza.

Mipango ya kila wiki ya Bunge la Taifa

39. Katibu atatarisha na kuweka kwenye wavuti wa Bunge mipango ya kila wiki ikionyesha shughuli za Bunge la Taifa na mpangilio wa vikao vya Kamati za Bunge la Taifa na kusambaza mipango hiyo kwa Wabunge, Idara za Serikali na vyombo vya habari ilimradi isiwe baada ya Ijumaa ya wiki inayotangulia shughuli hizo.

Mtiririko wa shughuli

40. (1) Kila siku baada ya maombi na mara baada ya kikao kuanza, shughuli za Bunge zitaendeshwa kwa mtiririko ufuatao –

- (i) Kiapo;
- (ii) Taarifa ya Spika;
- (iii) Jumbe;
- (iv) Ardhillhali;
- (v) Nyaraka;
- (vi) Arifa za Hoja;
- (vii) Maswali na Kauli;
- (viii) Hoja na Miswada

(2) Business shall be disposed of in the sequence in which it appears in the Order Paper or in such other sequence as the Speaker may, for the convenience of the House, direct.

(3) On Wednesday morning a Bill or a motion not sponsored by the Majority or Minority Party or by a Committee shall have precedence over all other business in such order as the House Business Committee shall ballot.

(4) The Speaker shall direct the Clerk to read the Orders of the Day without question put.

PART IX

MESSAGES

Messages to and from the Senate

41. (1) A message from the Assembly to the Senate shall be in writing and shall be signed by the Speaker.

(2) The Clerk of the Assembly shall transmit a message from the House to the Clerk of the Senate and shall receive messages from the Senate.

(3) The Clerk shall deliver to the Speaker a message received from the Senate under paragraph (2) at the first available opportunity after receipt and in any event not later than the next day not being a Saturday, Sunday or public holiday.

(4) If a message is received from the Senate, at a time when the House is in session, the Speaker shall report the message to the House at the first convenient opportunity after its receipt and in any event not later than the next sitting day.

(2) Shughuli zitatekelezwa kwa kufuata mtiririko jinsi ulivyo katika Ratiba ya Shughuli au kwa kufuata mtiririko mwingine utakaoelekezwa na Spika kwa kuzingatia unafuu wa Bunge la Taifa.

(3) Jumatano asubuhi, Mswada au Hoja isiyodhaminiwa na Chama cha walio Wengi au na Chama cha walio Wachache au na Kamati itapewa kipaumbele ikilinganishwa na shughuli nyingine zote kwa mtiririko utakaoamuliwa na Kamati ya Kuratibu Shughuli za Bunge.

(4) Spika atamwelekeza Katibu kusoma Shughuli za Siku ya kikao bila kuhoji Bunge la Taifa.

SEHEMU YA IX

JUMBE

Jumbe za kwenda na kutoka Seneti

41. (1) Ujumbe kutoka Bunge la Taifa kwenda Seneti utakuwa katika maandishi na utatiwa sahihi na Spika.

(2) Katibu wa Bunge la Taifa atatuma kwa Katibu wa Seneti ujumbe kutoka kwa Bunge la Taifa na atapokea jumbe kutoka kwa Seneti.

(3) Katibu atawasilisha kwa Spika ujumbe atakaopokea kutoka kwa Seneti kwa mujibu wa aya ya (2) pindi fursa inapokatikana na kwa vyovyote vile, bora isipite siku inayofuata ilimradi siku hiyo isiwe Jumamosi, Jumapili au sikukuu ya umma.

(4) Iwapo ujumbe kutoka kwa Seneti utapokelewa wakati Bunge la Taifa linaendelea na vikao vyake, Spika atawasilisha ujumbe huo Bungeni pindi itakapowezekana baada ya kuupokea na kwa vyovyote vile, isipite siku ya kikao inayofuata.

(5) If a message is received from the Senate, at a time when the House is not in session, the Speaker shall forthwith cause the message to be transmitted to every Member and shall report the message to the House on the day the House next sits.

(6) When the Speaker reports a message from the Senate under paragraph (4) or (5), the message shall be deemed to have been laid before the House and the Speaker may either—

- (a) direct that the message be dealt with forthwith; or
- (b) appoint a day for the consideration of the message; or
- (c) refer the message to the relevant Committee of the House for consideration.

Messages from the President

42. (1) The Speaker shall read to the House any message from the President delivered to the Speaker for communication to the House.

(2) If a message is received from the President, at a time when the House is not in session, the Speaker shall forthwith cause the message to be transmitted to every Member and shall report the message to the House on the day the House next sits.

(3) When a message from the President is read, the message shall be deemed to have been laid before the House and the Speaker may either—

- (a) direct that the message be dealt with forthwith; or
- (b) appoint a day for the consideration of the message; or
- (c) refer the message to the relevant Committee of the House for consideration.

(4) Paragraphs (1), (2) and (3) shall apply, with necessary modifications, to a message delivered to the Speaker by a Cabinet Secretary for communication to the House pursuant to any written law providing for conveyance of messages from the Cabinet.

(5) Iwapo ujumbe kutoka kwa Seneti utapokelewa wakati Bunge la Taifa likiwa likizoni, Spika ataagiza, bila kukawia, ujumbe huo utumwe kwa kila Mbunge na atauwasilisha Bungeni katika kikao kinachofuata.

(6) Spika anapowasilisha ujumbe kutoka kwa Seneti kwa mujibu wa aya ya (4) au ya (5), ujumbe huo utachukuliwa kuwa umewasilishwa mbele ya Bunge la Taifa, na Spika anaweza—

- (a) kuelekeza ujumbe ushughulikiwe mara moja; au
- (b) kutenga siku ya ujumbe huo kushughulikiwa; au
- (c) kukabidhi ujumbe huo kwa Kamati husika ili ushughulikiwe.

Jumbe kutoka kwa Rais

42. (1) Spika atasoma Bungeni ujumbe wowote aliopokea kutoka kwa Rais kwa minajili ya kulijulisha Bunge la Taifa.

(2) Iwapo ujumbe kutoka kwa Rais utapokelewa wakati Bunge la Taifa likiwa likizoni, Spika ataagiza, bila kukawia, ujumbe huo utumwe kwa kila Mbunge na atauwasilisha Bungeni katika kikao kinachofuata.

(3) Ujumbe wa Rais unaposomwa Bungeni utachukuliwa kuwa umewasilishwa mbele ya Bunge na Spika anaweza—

- (a) kuelekeza ujumbe ushughulikiwe mara moja; au
- (b) kutenga siku ya ujumbe huo kushughulikiwa; au
- (c) kukabidhi ujumbe huo kwa Kamati husika ili ushughulikiwe.

(4) Aya ya (1), ya (2) na ya (3) zikifanyiwa mabadiliko kadri itakavyohitajika zitatumika kushughulikia ujumbe utakaopelekwa na Waziri kwa Spika ili kuwasilishwa katika Bunge la Taifa kwa mujibu wa sheria yoyote inayoweka masharti ya kupeleka jumbe kutoka kwa Baraza la Mawaziri hadi Bunge la Taifa.

PART IXA

QUESTIONS

Notice of Question

42A. (1) Pursuant to Standing Order 216(5)(j), a Member proposing to ask a Question in the House shall give notice to the Clerk.

(2) The Member shall deliver a signed copy of the proposed Question to the Clerk for submission to the Speaker for approval.

(3) Where the Speaker approves a Question and determines the Cabinet Secretary responsible for the matters to which it relates, the Clerk shall, at an appropriate time, publish the Question in the Order paper.

(4) In scheduling a Question in the Order Paper, the Clerk shall consider the urgency of the Question as determined by the Speaker.

(5) A Member shall ask his or her Question on the day it is scheduled in the Order Paper and the Leader of the Majority Party shall, at an appointed date, inform the House of the date and time when a Cabinet Secretary shall be required to appear before a Committee to reply to a Question, subject to paragraph (6).

(6) In determining the date and time when a Cabinet Secretary shall be required to appear before a Committee to reply to a Question, the Leader of the Majority Party shall—

- (a) consider the urgency of the Question as determined by the Speaker; and
- (b) consult with the Chairperson of the Committee.

General rules on Questions

42B. (1) These rules apply to Questions raised in the House and Questions referred to Committees for reply.

SEHEMU YA IXA

MASWALI

Arifa ya Swali

42A. (1) Mbunge anayekusudia kuuliza Swali katika Bunge la Taifa kwa mujibu wa Kanuni ya 216(5)(j) atatoa arifa kwa Katibu.

(2) Mbunge huyo atampa Katibu nakala ya swali analopendekeza iliyotiwa sahihi ili iwasilishwe kwa Spika kwa ajili ya kuidhinishwa.

(3) Spika akiidhinisha Swali na kubainisha Waziri anayehusika na Swali hilo, Katibu, katika wakati unaofaa, ataliweka Swali hilo kwenye Ratiba ya Shughuli.

(4) Katika kuorodhesha Swali katika Ratiba ya Shughuli, Katibu atazingatia dharura ya Swali kama ilivyoamuliwa na Spika.

(5) Mbunge atauliza Swali lake katika kikao ambacho Swali hilo limeorodheshwa katika Ratiba ya Shughuli na Kiongozi wa Chama cha walio Wengi, katika siku iliyopangwa, ataliarifu Bunge la Taifa siku na wakati ambao Waziri anayehusika atafika mbele ya Kamati kujibu Swali hilo kwa kuzingatia aya ya (6).

(6) Katika kuamua siku na wakati ambao Waziri anahitajika kufika mbele ya Kamati kujibu Swali, Kiongozi wa Chama cha Walio Wengi —

- (a) atazingatia dharura ya Swali kama ilivyoamuliwa na Spika; na
- (b) atashauriana na Mwenyekiti wa Kamati hiyo.

Masharti ya jumla kuhusu Maswali

42B. (1) Masharti haya yatumika kwa Maswali yanayoulizwa katika Bunge na Maswali yanayopelekwa kwenye Kamati ili yajibiwe.

(2) Except as the Speaker may otherwise allow, a Member may not ask a Question which—

- (a) is in effect a speech;
- (b) is lengthy;
- (c) is limited to give information;
- (d) is framed so as to suggest its own reply or to convey a particular point of view;
- (e) includes extracts from newspapers or quotations from speeches;
- (f) contains any argument, inference, opinion, imputation or ironical or offensive expression or epithet;
- (g) seeks an expression of opinion;
- (h) repeats in substance a matter already addressed by a Committee of the House or in the course of debate in the House during the same Session;
- (i) refers to more than one subject;
- (j) includes the name of a person or a statement not strictly necessary to render the Question intelligible;
- (k) contains an allegation which the Member is not prepared to substantiate;
- (l) implies an allegation of a personal nature or which reflects upon the conduct of a person whose conduct can only be challenged through substantive Motion or upon the conduct of any other person otherwise than in that person's official or public capacity;
- (m) relates to a matter which is *sub judice* or which by any written law is secret pursuant to Standing Order 89 (*Matters sub judice or secret*);
- (n) falls within the functions and powers of county governments as contemplated under Part II of the Fourth Schedule to the Constitution;
- (o) seeks a reply that is readily available in ordinary works of reference or official publications;

(2) Isipokuwa kwa ruhusa ya Spika, Mbunge hafai kuuliza Swali ambalo—

- (a) ni hotuba;
- (b) ni refu;
- (c) linatoa habari tu;
- (d) limetungwa kwa namna ambayo inadokeza jibu lake au kutambulisha mtazamo fulani.
- (e) linajumuisha dondoo za magazeti au nukuu za hotuba;
- (f) lina mtazamo unaozua mjadala, makisio, maoni, shutuma, kejeli au matusi;
- (g) linakusudia kuibua maoni;
- (h) linarudia maudhui ya suala ambalo tayari limeshughulikiwa na Kamati ya Bunge la Taifa au kupitia kwa mjadala katika Bunge la Taifa katika Kipindi hicho;
- (i) linahusu zaidi ya suala moja;
- (j) linamtaja mtu yeyote kwa jina au kutoa maelezo ila tu kama ni lazima kulifanya Swali hilo lieleweke;
- (k) lina madai ambayo Mbunge hawezi au hayuko tayari kuthibitisha;
- (l) linadokeza tuhuma dhidi ya tabia au mwenendo wa mtu yeyote ambaye mwenendo wake unaweza tu kujadiliwa kwa Hoja mahususi au kuhusu mwenendo wa mtu mwingine yeyote isipokuwa kwa wadhifa wake rasmi.
- (m) linahusu suala ambalo linasubiri uamuzi wa Mahakama au ni la siri kulingana na sheria yoyote kwa mujibu wa Kanuni ya 89 (*Masuala yanayosubiri uamuzi wa Mahakama au masuala ya siri*).
- (n) linahusu masuala ambayo ni majukumu na mamlaka ya serikali za kaunti kwa mujibu wa Sehemu ya II ya Nyongeza ya Nne ya Katiba.
- (o) linahitaji jibu ambalo tayari linapatikana kwenye matini ya kawaida au machapisho rasmi;

(p) refers discourteously to a friendly country, a Head of State or Government or the representative in Kenya of a friendly country; or

(q) refers to a matter under consideration by the House or a Committee.

(3) A Member shall take responsibility for accuracy of the facts upon which a Question is based.

(4) A Member may, with leave of the Speaker, ask a supplementary question to a Question raised in the House before it is referred to a Committee for reply.

(5) Where the Member scheduled to raise a Question in the House is absent without the Speaker's permission, the Question shall be dropped and no further proceedings shall be allowed on the Question during the same session.

(6) The Speaker may defer a Question to a different time or day from its scheduled time and day.

Manner of disposing Questions in a Committee

42C.(1) A Cabinet Secretary shall provide physical and electronic copies of the reply to a Question at least a day before appearing before a Committee.

(2) Subject to Standing Order 42A (*Notice of Question*), a Committee shall dispose of a Question in the sequence it appears in its Schedule of Questions or as its Chairperson may direct.

(3) The Chairperson may allow a Member to ask a supplementary question which relates to a Question referred to a Committee.

(4) Where a Chairperson allows Members to ask supplementary questions, the Chairperson shall give first priority to the Member who asked the Question referred to a Committee for reply.

(p) linadhaliisha nchi rafiki, Mkuu wa Nchi au Serikali au mwakilishi wa nchi rafiki nchini Kenya; au

(q) I l i n a z u n g u m z i a j a m b o linaloshughulikiwa na Bunge la Taifa au Kamati.

(3) Mbunge atawajibikia usahihi wa maudhui ya Swali lake.

(4) Kwa idhini ya Spika, Mbunge yeyote anaweza kuuliza swali la ziada kwa Swali ambalo limeulizwa katika Bunge kabla ya Swali hilo kukabidhiwa Kamati ili lijibiwe.

(5) Iwapo Mbunge aliyepangiwa kuuliza Swali hayupo katika Bunge bila ruhusa ya Spika, Swali lake litaondolewa na halitashughulikiwa tena katika Kipindi hicho.

(6) Spika anaweza kuahirisha Swali kutoka wakati au siku iliyopangwa hadi wakati au siku nyingine.

Namna ya kushughulikia Maswali katika Kamati

42C. (1) Waziri atawasilisha nakala zilizopigwa chapa na za kieletroniki angalau siku moja kabla ya kufika mbele ya Kamati.

(2) Kwa kuzingatia Kanuni ya 42A (*Arifa ya Swali*), Kamati itashughulikia Swali kwa kufuata mtiririko wa Orodha ya Maswali kwenye Kamati au jinsi atakavyoelekeza Mwenyekiti wa Kamati.

(3) Mwenyekiti anaweza kumruhusu Mbunge kuuliza Swali la ziada linalohusiana na Swali lililokabidhiwa Kamati.

(4) Mwenyekiti anapowaruhusu Wabunge kuuliza maswali ya ziada, atampa kipaumbele Mbunge aliyauliza Swali lililokabidhiwa Kamati ili lijibiwe.

(5) Where the Member who raised a Question referred to the Committee is absent without the Chairperson's permission, the Question shall be dropped and no further proceedings shall be allowed on the Question during the same session.

(6) The Chairperson of a Committee may—

- (a) defer a Question to a different time or day from its scheduled time and day; or
- (b) direct a Cabinet Secretary to provide additional information or a further reply to a Question or supplementary questions raised in the Committee.

Questions for written reply

42D. Where a Member prefers a written reply to his or her Question—

- (a) the Speaker shall direct that a written reply be provided in respect of the Question; and
- (b) the Clerk shall forward the Question to the relevant Cabinet Secretary and, upon receipt, provide the written reply to the Member.

Timeline for reply

42E. (1) Subject to paragraph (2), a Cabinet Secretary shall reply to a Question within thirty days of referral of a Question to a Committee.

(2) Where the Speaker determines a Question to be urgent, a Cabinet Secretary shall reply to the Question within three days of referral of the Question to a Committee.

Report on Questions

42F. The Chairperson of a Committee shall submit a progress report to the House on Questions—

- (a) referred to the Committee;
- (b) replied to;

(5) Endapo Mbunge aliyeuliza Swali lililokabidhiwa Kamati hayupo bila ruhusa ya Mwenyekiti, Swali hilo litaondolewa na halitashughulikiwa tena katika Kipindi hicho.

(6) Mwenyekiti wa Kamati anaweza—

- (a) kuahirisha Swali kutoka wakati au siku iliyopangwa hadi wakati au siku nyingine; au
- (b) kuelekeza Waziri atoe habari zaidi au jibu la ziada kwa Swali au Maswali ya ziada yaliyoulizwa katika Kamati.

Maswali yanayohitaji majibu kwa maandishi

42D. Endapo Mbunge anapendelea Swali lake lijibiwe kwa maandishi —

- (a) Spika ataelekeza Swali hilo lijibiwe kwa maandishi; na
- (b) Katibu atawasilisha Swali hilo kwa Waziri husika ambaye baada ya kulipokea atatoa jibu kwa maandishi kwa Mbunge huyo.

Muda wa kujibu

42E. (1) Kwa kuzingatia aya ya (2), Waziri atajibu Swali katika muda usiozidi siku thelathini baada ya Swali hilo kukabidhiwa Kamati.

(2) Endapo Spika ameamua kuwa Swali ni la dharura Waziri atalijibu katika muda usiozidi siku tatu baada ya Swali hilo kukabidhiwa Kamati.

Ripoti kuhusu Maswali

42F. Mwenyekiti wa Kamati atawasilisha katika Bunge ripoti juu ya hatua iliyofikiwa kuhusu Maswali—

- (a) yaliyokabidhiwa Kamati;
- (b) yaliyojibiwa;

- (c) which the Committee has directed a Cabinet Secretary to provide additional information or further reply; and
- (d) pending before the Committee.

- (c) ambayo Kamati imemwelekeza Waziri kutoa habari zaidi au jibu la ziada; na
- (d) ambayo bado yanashughulikiwa na Kamati.

PART X

STATEMENTS

Members' general statements

- 43.** (1) Notwithstanding Standing Order 30 (*Hours of Meeting*), the Speaker shall interrupt the business of the House every Tuesday at 6.30 pm to facilitate Members to make general statements of topical concern.
- (2) A Member who wishes to seek leave to raise a matter under this Standing Order shall, before 3.00 pm on the day the statement is to be made, hand to the Speaker a written notification of the matter, but the Speaker shall refuse to allow the request unless satisfied that the matter may properly be discussed in the House.
- (3) No Member making a statement under this Standing Order shall speak for more than three minutes, unless with permission of the Speaker.

Statement Hour

- 44.** (1) Notwithstanding Standing Order 40 (*Sequence of Proceedings*), there shall be time to be designated Statements Hour, every Thursday, commencing not later than 3.00 pm.
- (2) During the Statements Hour—
- (a) a Member of the House Business Committee designated by the Committee for that purpose shall, every Thursday or on the last sitting day, for not more than ten minutes, present and lay on the Table, a statement informing the House of the business coming before the House in the following week;

SEHEMU YA X

KAULI MBALIMBALI

Kauli za jumla za Wajumbe

- 43.** (1) Bila kuzingatia Kanuni ya 30 (*Saa za Vikao*), Spika atasitisha shughuli za Bunge kila Jumanne saa 12.30 jioni ili kuwawezesha Wabunge kutoa kauli za jumla kuhusu masuala ibuka.
- (2) Mbunge anayekusudia kuomba idhini ya kutoa kauli kwa mujibu wa Kanuni hii atawasilisha arifa iliyoandikwa kwa Spika kabla ya saa 9.00 alasiri ya siku anayotaka kutoa kauli hiyo, hata hivyo, Spika hataidhinisha ombi hilo iwapo hajaridhika kuwa suala hilo linaweza kujadiliwa katika Bunge.
- (3) Mbunge anayetoa kauli kwa mujibu wa Kanuni hii hataongea kwa zaidi ya dakika tatu isipokuwa kwa ruhusa ya Spika.

Saa ya Kauli

- 44.** (1) Bila kuzingatia Kanuni ya 40 (*Mtiririko wa Shughuli*), kila Alhamisi kutatengwa muda utakaoitwa Saa ya Kauli ambayo itaanza saa 9.00 alasiri au kabla ya saa hiyo.
- (2) Wakati wa Saa ya Kauli —
- (a) Kila Alhamisi au katika siku ya mwisho ya vikao, kwa muda usiozidi dakika kumi, Mjumbe aliyeteuliwa na Kamati ya Kuratibu Shughuli za Bunge la Taifa atatoa na kuwasilisha kwenye Meza kauli inayoarifu Bunge la Taifa kuhusu shughuli inayotarajiwa kuletwa katika Bunge wiki inayofuata;

- (b) the Leader of the Majority Party, or the Leader of the Minority Party as the case may be, or their designees may make a statement relating to their responsibilities in the House or the activities of a Committee;
- (c) A Member may request for a statement from the Committee chairperson relating to matters under the mandate of the Committee and the Speaker may either appoint a day for the statement or direct that the statement be issued on the same day.

PART XI

APPROVAL OF PUBLIC APPOINTMENTS

Committal to committees

45. (1) Upon receipt of a notification of nomination for appointment to a State Office or such other office as is under the Constitution or under any other legislation required to be approved by the House, the nomination shall stand committed to the relevant Departmental Committee of the House for consideration.
- (2) Despite paragraph (1), appointments under Article 152(2) of the Constitution shall stand committed to the Committee on Appointments.
- (3) Before holding an approval hearing, a Committee to which proposed appointments have been referred shall notify the candidate and the public of the time and place for the holding of the approval hearing at least seven days prior to the hearing.
- (4) The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, table its report in the House within fourteen days of the date on which the notification was received under paragraph (1).

- (b) Kiongozi wa walio Wengi, au Kiongozi wa walio Wachache, au wawakilishi wao kadri itakavyokuwa, wanaweza kutoa kauli inayohusu majukumu yao katika Bunge la Taifa au shughuli za Kamati;
- (c) Mbunge anaweza kuomba kauli kutoka kwa Mwenyekiti wa Kamati kuhusu masuala ambayo yanasimamiwa na kamati hiyo na Spika anaweza kuchagua siku ambayo kauli hiyo itatolewa au kuagiza itolewe siku iyo hiyo.

SEHEMU YA XI

KUIDHINISHA UTEUZI WA MAOFISA WA UMMA

Kukabidhiwa kwa Kamati

45. (1) Baada ya kupokea taarifa ya uteuzi kwa Ofisi ya Serikali au ofisi nyingine yoyote kwa mujibu wa Katiba au sheria nyingine unaotaka kuidhinishwa na Bunge, uteuzi huo utakabidhiwa Kamati ya Kiidara inayohusika ili ushughulikiwe.
- (2) Licha ya aya ya (1), uteuzi uliotajwa katika Ibara ya 152(2) ya Katiba utakabidhiwa Kamati ya Uteuzi.
- (3) Kabla ya kikao cha kuidhinisha uteuzi, Kamati iliyokabidhiwa uteuzi unaopendekezwa itamuarifu mteuliwa na umma, angalau siku saba kabla ya kikao hicho, kuhusu wakati na mahali ambapo kikao cha kumuidhinisha kitafanyika.
- (4) Kamati itafanya kikao kwa ajili ya kushughulikia uteuzi uliopendekezwa na isipokuwa kama imeelezwa vinginevyo katika sheria, itawasilisha ripoti yake kwa Bunge katika muda usiozidi siku kumi na nne baada ya kukabidhiwa taarifa ya uteuzi kwa mujibu wa aya ya (1).

PART XII

MOTIONS

Application

46. This Part shall apply to all Motions, including special Motions.

Notices of Motions

47. (1) Except as otherwise provided by these Standing Orders, notice shall be given by a Member of any Motion which the Member proposes to move.

(2) Before giving notice of Motion, the Member shall deliver to the Clerk a copy of the proposed Motion in writing and signed by the Member, and the Clerk shall submit the proposed Motion to the Speaker.

(3) If the Speaker is of the opinion that any proposed Motion –

- (a) is one which infringes, or the debate on which is likely to infringe, any of these Standing Orders;
- (b) is contrary to the Constitution or an Act of Parliament, without expressly proposing appropriate amendment to the Constitution or the Act of Parliament;
- (c) is too long;
- (d) is framed in terms which are inconsistent with the dignity of the House;
- (e) contains or implies allegations which the Speaker is not satisfied that the Mover can substantiate; or
- (f) calls for the commitment of public funds for which no provision is made in the Annual Estimates as adopted by the National Assembly, the Speaker may direct either that, the Motion is inadmissible, or that notice of it cannot be given without such alteration as the Speaker may approve or that the motion be referred to the relevant committee of the Assembly, pursuant to Article 114(2) of the Constitution.

SEHEMU YA XII

HOJA

Matumizi

46. Sehemu hii itatumika kwa Hoja zote, zikiwemo Hoja Maalum.

Arifa za Hoja

47. (1) Isipokuwa kama Kanuni hizi zitahitaji vinginevyo, Mbunge yeyote anayekusudia kutoa Hoja atatoa Arifa ya Hoja.

(2) Kabla ya kutoa Arifa ya Hoja, Mbunge atampa Katibu nakala ya Hoja anayopendekeza kwa maandishi ikiwa imetiwa sahihi na Mbunge huyo na Katibu ataiwasilisha Hoja hiyo kwa Spika.

(3) Iwapo Spika ana maoni kwamba Hoja yoyote inayopendekezwa—

- (a) inakiuka au mjadala wake huenda ukakiuka Kanuni hizi;
- (b) ni kinyume na Katiba au Sheria yoyote, bila kueleza wazi marekebisho yanayofaa kufanyiwa Katiba au Sheria;
- (c) ni ndefu sana;
- (d) imetungwa kwa namna ambayo haiwiani na hadhi ya Bunge;
- (e) ina tuhuma au inadokeza tuhuma ambazo Spika hajaridhika kwamba Mtoahoja anaweza kuthibitisha; au
- (f) itasababisha matumizi ya pesa za umma ambazo hazimo katika Makadirio ya Mwaka yaliyoidhinishwa na Bunge la Taifa, Spika anaweza kuelekeza kwamba Hoja hiyo haikubaliki, au arifa ya Hoja hiyo haiwezi kutolewa bila kuifanyia marekebisho atakayoelekeza Spika, au kuelekeza kwamba Hoja hiyo ipelekwe kwenye Kamati inayohusika kwa mujibu wa Ibara ya 114(2) ya Katiba.

(4) A Member giving notice of a Motion approved by the Speaker shall state its terms to the House and whether the original copy received by the Clerk has been certified by a party leader or party whip for sponsorship by the Member's party.

(4A) A notice of Motion under Part XIV (*Procedure for removal from State Office*) shall be given in the House within three sitting days following approval by the Speaker, and, if not, such motion shall be deemed to have been withdrawn and shall not be moved again in the same terms in the same session, except with the leave of the Speaker.

(5) Unless the House resolves otherwise—

(a) a Motion sponsored by a party shall have precedence over all other Motions on such day as the House Business Committee, in consultation with the Speaker, may determine, but where a party has sponsored two or more motions, the Motion shall be considered in such order as sponsoring party may determine;

(b) notice of an approved Motion other than those under sub-paragraph (a) may be given to Members by means of a list to be published in such manner as the Speaker may from time to time direct and the Member giving such notice shall state its terms to the House when the Motion has acquired precedence in accordance with Standing Order 50 (*Time for moving Motions*), but at least one day before the Motion appears on the Order Paper.

Amendment of Notice of Motion

48. The Speaker may permit a Member to move in an amended form a Motion of which notice has been given if in the opinion of the Speaker the amendment does not materially alter any principle embodied in the Motion of which notice has been given.

(4) Mbunge anayetoa arifa ya Hoja iliyoidhinishwa na Spika atasoma matini ya arifa hiyo katika Bunge na kueleza iwapo nakala asilia ya arifa ya Hoja iliyopokelewa na Katibu imeidhinishwa na kiongozi wa chama au mratibu wa chama ili kudhaminiwa na chama cha Mbunge huyo.

(4A) Arifa ya Hoja kwa mujibu wa Sehemu ya XIV (*Utaratibu wa kuwaondoa Maofisa wa Serikali Mamlakani*) itatolewa katika Bunge kwa muda usiozidi siku tatu za vikao baada ya kuidhinishwa na Spika la sivyoy, Hoja hiyo itachukuliwa kama iliyoondolewa na haitawasilishwa tena ikiwa na maudhui yale yale katika Kipindi hicho, ila kwa idhini ya Spika.

(5) Isipokuwa kama Bunge la Taifa litaamua vinginevyo—

(a) Hoja ambayo imedhaminiwa na chama itapewa kipaumbele ikilinganishwa na Hoja nyingine zote katika siku ambayo Kamati ya Kuratibu Shughuli za Bunge inaweza kuamua kwa kushauriana na Spika, lakini iwapo chama kimedhamini Hoja mbili au zaidi, chama hicho kitaamua Hoja ipi ipewe kipaumbele.

(b) Arifa ya Hoja iliyoidhinishwa isipokuwa Hoja zilizotajwa katika aya ndogo ya (a) inaweza kutolewa kwa Wabunge kupitia orodha iliyochapishwa kwa namna itakayoamuliwa na Spika angalau siku moja kabla ya Hoja hiyo kuorodheshwa kwenye Ratiba ya Shughuli na Mbunge anayetoa arifa atasoma matini ya arifa hiyo katika Bunge wakati Hoja hiyo itapewa kipaumbele kwa mujibu wa Kanuni ya 50 (*Wakati wa kutoa Hoja*).

Marekebisho ya Arifa ya Hoja

48. Spika anaweza kumruhusu Mbunge kutoa Hoja iliyorekebishwa na ambayo arifa yake ilishawasilishwa iwapo Spika ataridhika kwamba marekebisho yaliyofanywa hayabadilishi msingi wa Hoja hiyo.

Certain Motions not to be moved

49. (1) No Motion may be moved which is the same in substance as any question which has been resolved (either in the affirmative or in the negative) during the preceding six months in the same Session.

(2) Despite paragraph (1)—

- (a) a Motion to rescind the decision on such a question may be moved with the permission of the Speaker;
- (b) a Motion to rescind the decision on a question on a Special Motion shall not be allowed.

Time for moving Motions

30. (1) The House Business Committee shall allot the time and sequence of the publication in the Order Paper of every Motion approved by the Speaker.

(2) Save for a Special Motion, a Member who has a Motion standing in his or her name may authorize, in writing, another Member to move that Motion in the Member's stead.

(3) Where no Member moves a Motion at the time specified by or under these Standing Orders, such Motion shall not again be published in the Order Paper during the same Session except with the leave of the Speaker.

Motion withdrawn may be moved again

51. (1) A notice of Motion may be withdrawn by the Member who gave the notice, but notice of the same Motion may be given again either by the same or by any other Member.

(2) Despite paragraph (1), notice of a Special Motion may not be withdrawn, except with leave of the House.

Motions which may be moved without Notice

52. The following Motions may be moved without notice—

- (a) Motion by way of amendment to a question already proposed from the Chair;
- (b) Motion for the adjournment of the House or of a debate;

Hoja ambazo haziruhusiwi kutolewa

49. (1) Hoja ambayo ina maudhui yanayofanana na suala ambalo lilishaamuliwa (kwa kukubaliwa au kukataliwa) haitaruhusiwa kutolewa ndani ya miezi sita katika Kipindi hicho.

(2) Licha ya masharti ya aya ya (1)—

- (a) Hoja ya kutengua uamuzi wa suala lolote inaweza kutolewa kwa ruhusa ya Spika;
- (b) Hoja ya kutengua uamuzi wa suala lililoamuliwa kwa Hoja Maalum haitaruhusiwa.

Wakati wa kutoa Hoja

50. (1) Kamati ya kuratibu Shughuli za Bunge la Taifa itaamua wakati na mtiririko wa kuweka Hoja zilizoidhinishwa na Spika kwenye Ratiba ya Shughuli.

(2) Mbunge mwenye Hoja anaweza kumruhusu Mbunge mwingine, kwa maandishi, kutoa Hoja kwa niaba yake isipokuwa kama ni Hoja Maalum.

(3) Iwapo hakuna Mbunge atakayetoa Hoja katika muda uliotengwa au kulingana na Kanuni hizi, Hoja hiyo haitawekwa tena kwenye Ratiba ya Shughuli katika Kipindi hicho cha Bunge isipokuwa kwa idhini ya Spika.

Hoja iliyoondolewa kuwasilishwa tena

51. (1) Arifa ya Hoja inaweza kuondolewa na Mbunge aliyetoa lakini arifa ya Hoja hiyo inaweza kuwasilishwa tena na Mbunge huyo au na Mbunge mwingine yeyote.

(2) Licha ya aya ya (1), arifa ya Hoja Maalum haiwezi kuondolewa ila kwa idhini ya Bunge la Taifa.

Hoja zinazoweza kutolewa bila Arifa

52. Hoja zifuatazo zinaweza kutolewa bila arifa—

- (a) Hoja ya kurekebisha hoja ambayo imependekezwa na Kiongozi wa kikao ili ijadiliwe;
- (b) Hoja ya kuahirisha kikao cha Bunge au mjadala;

- (c) Motion that the House do dissolve itself into a Committee of the whole House;
- (d) Motion moved when the House is in Committee;
- (e) Motion for the suspension of a Member;
- (f) Motion made in accordance with the Standing Orders governing the procedure as to Bills;
- (g) Motion for the agreement of the House with a Committee of the whole House in a resolution reported, or for the re-committal thereof or for the postponement of the further consideration thereof;
- (h) Motion raising a question of privilege;
- (i) Motion for the orders of the House under these Standing Orders;
- (j) Motion made under Standing Order 256 (*Exemption of business from Standing Orders*);
- (k) Motion made for the limitation of a debate under Standing Order 97 (*Limitation of debate*);
- (l) Motion made for the postponement or discharge of, or giving precedence to an order of the day; and
- (m) Motion for the extension of sitting time of the House.

Manner of debating Motions

- 53.** (1) When a Motion has been moved and if necessary seconded, the Speaker shall propose the question thereon in the same terms as the Motion, and debate may then take place upon that question.
- (2) At the conclusion of the debate, the Speaker shall put the question.
- (3) Despite paragraph (2), the Speaker may, on the request of a Member, defer the putting of the question to the following day in which case the Speaker shall thereupon nominate a time at which the question shall be put.

- (c) Hoja kwamba Bunge lijigeuze kuwa Kamati ya Bunge Zima;
- (d) Hoja inayotolewa wakati Bunge liko katika Kamati;
- (e) Hoja ya kumsimamisha Mbunge kuhudhuria vikao kwa muda;
- (f) Hoja inayotolewa kwa mujibu wa Kanuni zinazoongoza utaratibu wa Miswada;
- (g) Hoja ya Bunge kuridhia uamuzi ulioripotiwa na Kamati ya Bunge Zima, au kuirejesha Hoja kwenye Kamati ya Bunge Zima au kuiahirisha Hoja ili ishughulikiwe zaidi;
- (h) Hoja inayohusu suala la haki za Wabunge;
- (i) Hoja ya amri za Bunge kwa mujibu wa Kanuni hizi;
- (j) Hoja kwa mujibu wa Kanuni ya 256 (*Kutengua Kanuni*);
- (k) Hoja ya kudhibiti mjadala kwa mujibu wa Kanuni ya 97 (*Kudhibiti mjadala*);
- (l) Hoja ya kuahirisha au kuondoa au kuipa kipaumbele shughuli fulani ya siku; na
- (m) Hoja ya kuongeza muda wa kikao.

Utaratibu wa kujadili hoja

- 53.** (1) Hoja ikishatolewa na ikiwa inahitaji kuafikiwa iafikiwe, Spika atapendekeza Hoja hiyo ijadiliwe jinsi ilivyo na kisha mjadala unaweza kuanza.
- (2) Baada ya mjadala kuhitimishwa, Spika atatoa Hoja ili iamuliwe.
- (3) Licha ya aya ya (2), kufuatia ombi la Mbunge la kutaka uamuzi wa Hoja uahirishwe, Spika anaweza kuahirisha uamuzi wa Hoja hadi siku itakayofuata na atataja wakati ambapo Hoja hiyo itaamuliwa.

Amendments to Motions

54. (1) Unless otherwise provided in these Standing Orders, any amendment to a Motion which a Member wishes to propose in accordance with these Standing Orders may be moved and, if necessary seconded at any time after the question upon the Motion has been proposed and before it has been put.

(2) When every amendment under paragraph (1) has been disposed of, the Speaker shall either again propose the question upon the Motion or propose the question upon the Motion as amended as the case may require, and after any further debate which may arise thereon, shall put the question.

(3) Upon any amendment to leave out any of the words of the Motion, the question to be proposed shall be "That, the words proposed to be left out be left out."

(4) Upon any amendment to insert words in, or add words at the end of a Motion, the question to be proposed shall be "That, the words [of the amendment] be inserted" (or "added").

(5) Upon any amendment to leave out words and insert or add other words instead, a question shall first be proposed "That, the words proposed to be left out be left out of the question", and if that question is agreed to, the question shall then be proposed, "That, the words [of the amendment] be therein inserted" (or "added"), but if the first question is negatived, no further amendment may be proposed to the words which it has been decided shall not be left out.

(6) When two or more amendments are proposed to be moved to the same Motion, the Speaker shall call upon the movers in the order in which their amendments relate to the text of the Motion, or in cases of doubt, in such order as the Speaker shall decide.

Marekebisho ya Hoja

54. (1) Isipokuwa kama imeelekezwa vinginevyo katika Kanuni hizi, rekebisho lolote la Hoja ambalo Mbunge anakusudia kupendekeza linaweza kutolewa na kuafikiwa, ikiwa linahitaji kuafikiwa, wakati wowote baada ya Hoja kutolewa na kabla ya kuamuliwa.

(2) Baada ya kila rekebisho kuhitimishwa kwa mujibu wa aya ya (1), Spika atapendekeza tena Hoja ijadiliwe au atapendekeza Hoja iliyorekebishwa ijadiliwe kama inavyohitajika na baada ya kuruhusu Hoja hiyo kujadiliwa, atatoa Hoja iamuliwe.

(3) Iwapo rekebisho ni la kuondoa maneno katika Hoja, Hoja itapendekezwa ijadiliwe kwa maneno yafuatayo "Kwamba, maneno yaliyopendekezwa kuondolewa yaondolewe".

(4) Iwapo rekebisho ni la kuchopeka au kuongeza maneno mwishoni mwa Hoja, Hoja itapendekezwa ili ijadiliwe kwa maneno "Kwamba, maneno [ya marekebisho] yachopekwe" (au "yaongezwe").

(5) Iwapo rekebisho ni la kuondoa maneno na kuchopeka au kuongeza maneno mengine badala yake, Hoja itapendekezwa ili ijadiliwe kwa maneno "Kwamba, maneno yaliyopendekezwa kuondolewa yaondolewe kwenye Hoja", na iwapo Hoja hiyo itakubaliwa, Hoja itapendekezwa ili ijadiliwe kwa maneno "Kwamba, maneno [ya marekebisho] yachopekwe" (au "yaongezwe"), lakini iwapo Hoja ya kwanza itakataliwa, hakuna rekebisho la nyongeza litakaloruhusiwa kupendekezwa kwa maneno ambayo imeamuliwa yasiyondolewe.

(6) Marekebisho mawili au zaidi yanapopendekezwa kwa Hoja, Spika atawaita Wabunge wenye marekebisho akizingatia jinsi marekebisho hayo yanavyoathiri matini ya Hoja hiyo, au kukiwepo na tashwishi, kwa mpangilio utakaoamuliwa na Spika.

(7) An amendment to leave out words and replace those words with other words shall take precedence before any amendment to leave out words without proposing to replace those words with other words.

(8) No amendment may be moved which relates to any words which it has been decided shall not be left out of a Motion.

(9) An amendment to an amendment may be moved and if necessary seconded at any time after the question upon the original amendment has been proposed and before it has been put.

(10) Paragraphs (3), (4), (5), (6), (7), (8) and (9) of this Standing Order shall apply to the debate of amendments to amendments with the substitution whenever appropriate of the words "original amendment" for the word "question".

(11) When every amendment to an amendment has been disposed of, the Speaker shall, either again propose the question upon the original amendment or propose the question upon the amendment, as amended as the case may require.

Amendments to be in writing

55. (1) The proposer of an amendment to a Motion shall, before moving it, hand the proposed amendments in writing, signed by the proposer, to the Clerk at least two hours before the order is read.

(2) Despite paragraph (1), the Speaker may, in exceptional circumstances, allow a Member to move an amendment to a Motion before the Assembly at any time during consideration of that Motion.

Amendments to be relevant to Motion

56. (1) Every amendment shall be relevant to the Motion which it seeks to amend and shall not raise any question which, in the opinion of the Speaker, should be raised by a substantive Motion after notice given.

(7) Rekebicho la kuondoa maneno na kuweka maneno mengine litapewa kipaumbele ikilinganishwa na rekebicho la kuondoa maneno bila ya kupendekeza maneno mengine.

(8) Hakuna rekebicho ambalo litatolewa kuhusu maneno yoyote ambayo imeamuliwa yasiondolewe kwenye Hoja.

(9) Rekebicho la rekebicho lingine linaweza kutolewa, na kuafikiwa ikiwa linahitaji kuafikiwa, wakati wowote baada ya rekebicho la awali kupendekezwa lijadiliwe na kabla ya uamuzi kufanyika.

(10) Aya ya (3), (4), (5), (6), (7), (8) na (9) za Kanuni hii zitatumika katika mjadala wa marekebicho ya marekebicho mengine na maneno "rekebicho la awali" yakibadilishwa na "hoja" popote patakapohitajika.

(11) Baada ya kila rekebicho la rekebicho lingine kuamuliwa, Spika atapendekeza tena rekebicho la awali ili lijadiliwe au atapendekeza hoja kuhusu rekebicho la awali lilivyorekebishwa ili lijadiliwe kadri itakavyohitajika.

Marekebicho kuwa kwa maandishi

55. (1) Mbunge anayependekeza rekebicho la Hoja, kabla ya kutoa hoja ya rekebicho, atampa Katibu pendekezo hilo kwa maandishi likiwa limetiwa sahihi na Mbunge huyo, angalau saa mbili kabla ya shughuli hiyo kusomwa.

(2) Licha ya aya ya (1) na katika hali za kipekee, Spika anaweza kumruhusu Mbunge kutoa hoja ya rekebicho la Hoja katika Bunge wakati wowote Bunge linaposhughulikia Hoja hiyo.

Marekebicho yawiane na Hoja

56. (1) Kila rekebicho sharti liwiane na Hoja ambayo linapendekeza kurekebisha na halipaswi kuibua suala lolote ambalo, kwa maoni ya Spika, linafaa kuwasilishwa kwa Hoja mahususi baada ya arifa kutolewa.

(2) No amendment shall be permitted if in the opinion of the Speaker, it represents a direct negative of the question proposed.

Question proposed after Motion made

57. (1) The question on any Motion shall not be proposed unless it shall have been seconded and any Motion that is not seconded shall be deemed to have been withdrawn, and shall not be moved again in the same Session.

(2) Despite paragraph (1), a Motion made in Committee of the whole House shall not require to be seconded.

Motion in possession of the House

58. After the question has been proposed on a Motion, the Motion shall be deemed to be in the possession of the House, and such Motion shall not be withdrawn without the leave of the House.

Question as amended put

59. When a question has been amended it shall, when put, be put as amended.

When amendment proposed but not made

60. When any amendment has been proposed but no amendment has been made, the question when put shall be put as originally proposed.

PART XIII

SPECIAL MOTIONS

Definition of Special Motion

61. For purposes of this Part, a Special Motion is one—

(a) that seeks a resolution of the House to approve an appointment or re-appointment in accordance with Part XI (*Approval of Public Appointments*); or

(b) moved pursuant to any of the following Articles of the Constitution—

(i) Article 58 (*extension of state of emergency*);

(2) Spika hataruhusu rekebisho ambalo, kwa maoni yake, linakinzana na hoja iliyopendekezwa.

Hoja kupendekezwa baada ya kuafikiwa

57. (1) Hoja haitapendekezwa kujadiliwa ikiwa haijaafikiwa na Hoja yoyote ambayo haijaafikiwa itachukuliwa kuwa imeondolewa na haitatolewa tena katika Kipindi hicho.

(2) Licha ya aya ya (1), Hoja itakayotolewa wakati wa Kamati ya Bunge Zima haitahitaji kuafikiwa.

Hoja inayomilikiwa na Bunge la Taifa

58. Baada ya Hoja kupendekezwa ili ijadiliwe, Hoja itachukuliwa kuwa inamilikiwa na Bunge na Hoja hiyo haitaondolewa bila ya idhini ya Bunge la Taifa.

Kutoa Hoja iliyorekebisha iamuliwe

59. Endapo Hoja imerekebisha, itakapotolewa ili iamuliwe, itatolewa jinsi ilivyorekebisha.

Rekebisho lililopendekezwa lisipofaulu

60. Endapo rekebisho lolote limependekezwa lakini halijafaulu, Hoja itakapotolewa ili iamuliwe, itatolewa jinsi ilivyopendekezwa awali.

SEHEMU YA XIII

HOJA MAALUM

Maana ya Hoja Maalum

61. Kwa minajili ya Sehemu hii, Hoja Maalum ni ile—

(a) inayohitaji uamuzi wa Bunge kuidhinisha uteuzi au uteuzi wa mara ya pili kwa mujibu wa Sehemu ya XI (*Kuidhinisha Uteuzi wa Maofisa wa Umma*) ya Kanuni hizi; au

(b) inayotolewa kwa mujibu wa Ibara zifuatazo za Katiba—

(i) Ibara ya 58 (*kuongeza muda wa tangazo la hali ya hatari*);

(ii) Article 102 (*extension of the term of Parliament when Kenya is at war*);

(iii) Article 111 (*amending or veto of a special Bill passed by the Senate*);

(iiia) Article 106 (*resolution for removal of Speaker or Deputy Speaker from office*);

(iv) Article 132 (*declaration of war*);

(v) Article 144 (*removal of President on Grounds of incapacity*);

(vi) Article 145 (*impeachment of the President*);

(vii) Article 149 (*vacancy in the office of the deputy president*);

(viii) Article 150 (*removal of Deputy President*);

(ix) Article 152 (*dismissal of a cabinet secretary*);

(x) Article 188 (*alteration of the boundaries of a county*);

(xi) Article 211 (*borrowing by national government*);

(xii) Article 217 (*division of revenue*);

(xiii) Article 225 (*approval of decision to stop the transfer of funds to a State organ or any other public entity*);

(xiv) Article 240 (*deployment of National forces outside Kenya and foreign forces in Kenya*);

(xv) Article 241 (*deployment of Defence Forces inside Kenya*);

(xvi) Article 251 (*petition for removal of a Member of a Commission or a holder of an independent office*);

(ii) Ibara ya 102 (*kuongeza muhula wa Bunge Kenya ikiwa vitani*);

(iii) Ibara ya 111 (*kurekebisha au kubatilisha Mswada Maalum uliopitishwa na Seneti*);

(iiia) Ibara ya 106 (*uamuzi wa kumwondoa Spika au Naibu Spika mamlakani*);

(iv) Ibara ya 132 (*tangazo la vita*);

(v) Ibara ya 144 (*kuondolewa kwa Rais kwa misingi ya kushindwa kutekeleza majukumu*);

(vi) Ibara ya 145 (*kuondolewa kwa Rais kupitia mashtaka*);

(vii) Ibara ya 149 (*wadhifa wa Naibu Rais unapokuwa wazi*);

(viii) Ibara ya 150 (*kuondolewa kwa Naibu Rais*);

(ix) Ibara ya 152 (*kumwachisha kazi waziri*);

(x) Ibara ya 188 (*kubadilishwa kwa mipaka ya kaunti*);

(xi) Ibara ya 211 (*ukopaji wa serikali ya taifa*);

(xii) Ibara ya 217 (*mgao wa mapato*);

(xiii) Ibara ya 225 (*idhini ya uamuzi wa kusimamisha uhamishaji wa fedha kwa kitengo fulani cha serikali au shirika lolote la serikali*);

(xiv) Ibara ya 240 (*kutuma majeshi ya usalama ya taifa nje ya Kenya na kuruhusu jeshi la kigeni nchini Kenya*);

(xv) Ibara ya 241 (*kutuma Majeshi ya Ulinzi ndani ya nchi ya Kenya*);

(xvi) Ibara ya 251 (*ardhilhali ya kumwondoa Mjumbe wa Tume au ofisa wa ofisi huru*);

(xvii) Article 261 (*enactment of consequential legislation*).

(2) Unless the Constitution, any written law or these Standing Orders specify a lesser or further period, a Special Motion shall be—

- (a) disposed of by the Speaker in accordance with Standing Order 53 (*Manner of debating motions*) within seven days of receipt of notice by a Member under paragraph (2); and,
- (b) disposed of by the House within fourteen calendar days upon the notice under Standing Order 47 (*Notices of Motions*), and if not, such motion shall be deemed to have been withdrawn and shall not be moved again in the same Session, except with the consent of the Speaker.

Instances where the Constitution requires a fixed majority

62. (1) In every instance where the Constitution lays down that a fixed number of Members is necessary to support the moving of, or to decide any question on a motion, any amendment motion to such motion shall not be passed unless supported by the fixed number of Members required to pass the original motion.

(2) Notwithstanding paragraph (1), whenever a Bill or a special Motion the passage of which requires a special majority in the Assembly fails to obtain the required majority and the vote results in a majority of the “Ayes” but the “Noes” have not numbered at least one third of all the Members of the Assembly, the Speaker may direct that a further vote be taken on the particular question, and the further vote shall be taken within five sitting days from the day the first vote was taken.

(3) If the Speaker does not so direct any further vote, or if on such further vote the fixed majority is not obtained, the Speaker shall declare that the Motion is negated.

(xvii) Ibara ya 261 (*utungaji wa sheria zinazotokana na mabadiliko ya Katiba*);

(2) Isipokuwa kama Katiba, sheria nyingine au Kanuni hizi zimetaja muda mfupi au zaidi, Hoja Maalum—

- (a) itashughulikiwa na Spika kwa mujibu wa Kanuni ya 53 (*Utaratibu wa kujadili Hoja*) katika muda usiozidi siku saba baada ya kupokea arifa ya Mbunge kwa mujibu wa aya ya (2); na,
- (b) itashughulikiwa na Bunge kwa muda usiozidi siku kumi na nne za kalenda baada ya arifa kutolewa kwa mujibu wa Kanuni ya 47 (*Arifa za Hoja*), vinginevyo, Hoja hiyo itachukuliwa kuwa imeondolewa na haitawasilishwa tena katika Kipindi hicho ila kwa kibali cha Spika.

Katiba inapohitaji wingi wa idadi mahususi

62. (1) Katika kila hali ambapo Katiba inataja kwamba idadi mahususi ya Wabunge inahitajika kuunga mkono kutolewa au kuamuliwa kwa Hoja, hoja ya rekebisho lolote la Hoja asilia haitapitishwa isipokuwa kama imeungwa mkono na idadi mahususi inayohitajika kupitisha Hoja asilia.

(2) Bila kuzingatia aya ya (1), kila mara Mswada au Hoja Maalum ambayo kupitishwa kwake kunahitaji kuungwa mkono na idadi mahususi ya Wabunge katika Bunge la Taifa itakosa idadi hiyo na kuwe na wingi wa kura za waliopiga kura ya “Ndiyo” lakini idadi ya waliopiga kura ya “La” haijafikia angalau thuluthi moja ya Wabunge wote, Spika anaweza kuelekeza awamu nyingine ya kura ili kuamua suala hilo kwa muda usiozidi siku tano baada ya kura ya kwanza.

(3) Iwapo Spika hataagiza awamu nyingine ya kura au ikiwa baada ya awamu nyingine ya kura idadi hiyo mahususi haijatimia, Spika atatangaza kuwa Hoja hiyo imeanguka.

PART XIV

PROCEDURE FOR REMOVAL FROM STATE OFFICE

Procedure for removal of President on grounds of incapacity

63. (1) Before giving notice of Motion under Article 144(1) of the Constitution, the Member shall deliver to the Clerk a copy of the proposed Motion in writing—

- (a) stating the grounds and particulars upon which the proposed Motion is made;
- (b) signed by the Member; and
- (c) signed in support by at least a quarter of all the Members.

(1A) A motion under this Standing Order shall have its subject matter indicated on every sheet.

(2) A Motion under paragraph (1) shall be disposed of—

- (a) by the Speaker within three days of receipt of notice by a Member under paragraph (1); and
- (b) by the House within seven days of a Member giving notice under Standing Order 47 (*Notices of Motions*), and if not, such motion shall be deemed to have been withdrawn and shall not be moved again in the same session, except with the leave of the Speaker.

(3) If the National Assembly is not then sitting, the Speaker shall summon the Assembly for a special sitting to dispose of the Motion.

(4) An Order Paper on which the Motion under paragraph (1) is listed shall set out—

- (a) the grounds and particulars upon which the proposal is made;
- (b) the name of the Member sponsoring the Motion; and
- (c) the names of the Members in support of the Motion.

SEHEMU YA XIV

UTARATIBU WA KUMWONDOA OFISA WA SERIKALI MAMLAKANI

Utaratibu wa kumwondoa Rais mamlakani kwa kushindwa kutekeleza majukumu

63. (1) Kabla ya kutoa arifa ya Hoja kwa mujibu wa Ibara ya 144(1) ya Katiba, Mbunge atawasilisha kwa Katibu, kwa maandishi, nakala ya Hoja anayopendekeza—

- (a) ikitaja misingi na maelezo ya Hoja anayopendekeza;
- (b) iliyotiwa sahihi na Mbunge huyo; na
- (c) yenye sahihi za uungwaji mkono za angalau robo ya Wabunge wote.

(1A) Hoja kwa mujibu wa Kanuni hii itaonyesha mada yake katika kila ukurasa.

(2) Hoja kwa mujibu wa aya ya (1) itashughulikiwa na—

- (a) Spika kwa muda usiozidi siku tatu baada ya kupokea arifa kutoka kwa Mbunge kwa mujibu wa aya ya (1); na
- (b) Bunge la Taifa kwa muda usiozidi siku saba baada ya Mbunge kutoa arifa kwa mujibu wa Kanuni ya 47 (*Arifa za Hoja*), vinginevyo, Hoja hiyo itachukuliwa kuwa imeondolewa na haitatolewa tena katika Kipindi hicho isipokuwa kwa idhini ya Spika.

(3) Iwapo Bunge la Taifa lipo likizoni, Spika ataagiza kufanyika kwa kikao maalum cha Bunge la Taifa ili kushughulikia Hoja hiyo.

(4) Ratiba ya Shughuli ambamo Hoja hiyo imeorodheshwa kwa mujibu wa aya ya (1) itaeleza—

- (a) misingi na maelezo ya Hoja inayopendekezwa;
- (b) jina la Mbunge anayedhamini Hoja; na
- (c) majina ya Wabunge wanaounga mkono Hoja hiyo.

(5) Upon receipt of the Motion by the Clerk any signature appended to the list as provided under paragraph (4) shall not be withdrawn.

(6) When the Motion has been passed by a majority of all members of the National Assembly, the Speaker shall inform the Chief Justice of that resolution within two days.

(7) Upon receipt of the report of the tribunal pursuant to Article 144(6) of the Constitution, the Speaker shall cause the report to be tabled before the National Assembly within seven days after receiving it and—

- (a) If the tribunal reports that the President is capable of performing the functions of the office, the Speaker of the National Assembly shall so announce in the National Assembly and no further proceedings shall be taken on the matter;
- (b) If the tribunal reports that the President is incapable of performing the functions of the office, the National Assembly shall, upon a motion by the Member who moved the motion for investigation of the President, vote on whether to ratify the report and if a majority of all the Members of the National Assembly vote in favour of ratifying the report, the President shall cease to hold office.

Procedure for removal of President by impeachment

64. (1) Before giving notice of Motion under Article 145(1) of the Constitution, a Member shall deliver to the Clerk a copy of the proposed Motion in writing—

- (a) stating the grounds and particulars in terms of Article 145(1) of the Constitution upon which the proposed Motion is made;
- (b) signed by the Member; and
- (c) signed in support by at least a third of all the Members.

(5) Pindi Katibu anapopokea Hoja, sahihi yoyote iliyowekwa kwenye orodha ya Wabunge wanaounga mkono kwa mujibu wa aya ya (4) haitaondolewa.

(6) Wakati Hoja hiyo imepitishwa na wingi wa Wabunge wote wa Bunge la Taifa, Spika atamjulisha Jaji Mkuu kuhusu uamuzi huo katika muda usiozidi siku mbili.

(7) Pindi Spika anapopokea ripoti ya baraza kwa mujibu wa Ibara ya 144 (6) ya Katiba, ataelekeza ripoti hiyo iwasilishwe katika Bunge la Taifa katika muda usiozidi siku saba baada ya kuipokea na—

- (a) iwapo baraza litaripoti kuwa Rais ana uwezo wa kutekeleza majukumu ya ofisi, Spika wa Bunge la Taifa atatoa tangazo hilo katika Bunge na shughuli zote kuhusu jambo hilo zitasitishwa;
- (b) iwapo baraza litaripoti kuwa Rais hana uwezo wa kutekeleza majukumu ya ofisi na baada ya Bunge la Taifa kupokea Hoja ya Mbunge aliyependekeza Hoja ya kumchunguza Rais na Bunge la Taifa kuridhia Hoja hiyo kwa wingi wa kura za Wabunge wote, Rais ataondoka mamlakani.

Utaratibu wa kumwondoa Rais mamlakani kupitia mashtaka

64. (1) Kabla ya kutoa arifa ya Hoja kwa mujibu wa Ibara ya 145(1) ya Katiba, Mbunge atawasilisha kwa Katibu, kwa maandishi, nakala ya Hoja anayopendekeza—

- (a) ikitaja misingi na maelezo, kwa mujibu wa Ibara ya 145(1) ya Katiba, ya Hoja anayopendekeza;
- (b) iliyotiwa sahihi na Mbunge huyo; na
- (c) iliyotiwa sahihi za uungwaji mkono na angalau thuluthi moja ya Wabunge wote.

(1A) The grounds specified in a motion under this Standing Order shall be admissible if—

- (a) framed clearly to particularize and disclose a gross violation of the Constitution or other written law, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal;
- (b) stating with precision, the provisions of the Constitution or other written law that are alleged to have been grossly violated, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal; and
- (c) accompanied by necessary evidence, including annexures or sworn testimonies in respect of the allegations.

(2) A Motion under paragraph (1) shall be disposed of—

- (a) by the Speaker in accordance with Standing Order 47 (*Notices of Motions*) within three days of receipt of notice by a Member under paragraph (1); and,
- (b) by the Assembly within seven days of a Member giving notice under Standing Order 47 (*Notices of Motions*) and if not, such Motion shall be deemed to have been withdrawn and shall not be moved again in the same Session, except with the leave of the Speaker.

(3) If the National Assembly is not then sitting, the Speaker shall summon the Assembly for a special sitting to dispose of the Motion.

(4) An Order Paper on which the Motion under paragraph (1) is listed shall set out—

- (a) the grounds and particulars upon which the proposal is made;
- (b) the name of the Member sponsoring the Motion; and
- (c) the names of the Members in support of the Motion.

(1A) Misingi inayotajwa katika Hoja kwa mujibu wa Kanuni hii itakubalika ikiwa—

- (a) imetungwa kwa uwazi ili kubainisha na kufichua ukiukaji mkubwa wa Katiba au sheria yoyote pale ambapo ukiukaji mkubwa wa Katiba au sheria yoyote umetajwa kama msingi wa kutaka kumwondoa;
- (b) inataja kwa usahihi vipengele vya Katiba au sheria yoyote ambayo inadaiwa kukiukwa kwa kiasi kikubwa pale ambapo ukiukaji mkubwa wa Katiba au sheria yoyote umetajwa kama msingi wa kutaka kumwondoa; na
- (c) imeambatisha ushahidi unaofaa, ukijumuisha viambatisho au ushahidi uliotolewa kwa kiapo kuhusiana na tuhuma hizo.

(2) Hoja kwa mujibu wa aya ya (1) itashughulikiwa na—

- (a) Spika kwa mujibu wa Kanuni ya 47 (*Arifa za Hoja*) katika muda usiozidi siku tatu baada ya kupokea arifa kutoka kwa Mbunge kwa mujibu wa aya ya (1); na
- (b) Bunge katika muda usiozidi siku saba baada ya Mbunge kutoa arifa kwa mujibu wa Kanuni ya 47 (*Arifa za Hoja*), vinginevyo, Hoja hiyo itachukuliwa kuwa imeondolewa na haitatolewa tena katika Kipindi hicho isipokuwa kwa idhini ya Spika.

(3) Iwapo Bunge la Taifa lipo likizoni, Spika ataagiza kufanyika kwa kikao maalum cha Bunge la Taifa ili kushughulikia Hoja hiyo.

(4) Ratiba ya Shughuli ambamo Hoja hiyo imeorodheshwa kwa mujibu wa aya ya (1) itaeleza—

- (a) misingi na maelezo ya Hoja inayopendekezwa;
- (b) jina la Mbunge anayedhamini Hoja; na
- (c) majina ya Wabunge wanaounga mkono Hoja hiyo.

(5) Upon receipt of the Motion by the Clerk any signature appended to the list as provided under paragraph (4) shall not be withdrawn.

(6) When the Motion has been passed by two-thirds of all members of the National Assembly, the Speaker shall inform the Speaker of the Senate of that resolution within two days in terms of Article 145(2)(a) of the Constitution.

Procedure for removal of Deputy President

65. (1) Where a Member proposes the removal of the Deputy President on the grounds of physical or mental incapacity in terms of Article 150(1)(a) of the Constitution, Standing Order 63 (*Procedure for removal of President on grounds of incapacity*) shall, with necessary modifications, apply.

(2) Where a Member proposes to impeach the Deputy President in terms of Article 150(1)(b) of the Constitution, Standing Order 64 (*Procedure for removal of President by impeachment*) shall, with necessary modifications, apply.

Procedure for removal of Cabinet Secretary

66. (1) Before giving Notice of Motion under Article 152(6) of the Constitution, the Member shall deliver to the Clerk a copy of the proposed Motion in writing—

(a) stating the grounds and particulars in terms of Article 152(6) of the Constitution upon which the proposed Motion is made;

(b) signed by the Member; and

(c) signed in support by at least one-quarter of all the Members of the Assembly.

(2) The provisions of Standing Order 64 (*Procedure for removal of President by impeachment*) shall apply to a Motion under paragraph (1).

(3) An Order Paper on which the Motion under paragraph (1) is listed shall set out—

(a) the grounds and particulars upon which the proposed Motion is made;

(5) Pindi Katibu anapokea Hoja, sahihi yoyote iliyowekwa kwenye orodha ya Wabunge wanaounga mkono kwa mujibu wa aya ya (4) haitaondolewa.

(6) Hoja hiyo ikipitishwa na angalau thuluthi mbili ya Wabunge wote, Spika atamjulisha Spika wa Seneti kuhusu uamuzi huo katika muda usiozidi siku mbili kwa mujibu wa Ibara ya 145(2)(a) ya Katiba.

Utaratibu wa kumwondoa Naibu Rais mamlakani

65. (1) Mbunge anapopendekeza kumwondoa Naibu Rais mamlakani kwa misingi ya kukosa uwezo wa kimwili au wa kiakili kwa mujibu wa Ibara ya 150 (1)(a) ya Katiba, Kanuni ya 63 (*Utaratibu wa kumwondoa Rais mamlakani kwa kushindwa kutekeleza majukumu*) itatumika kadri iwezekanavyo.

(2) Mbunge anapopendekeza Hoja ya kumshtaki Naibu Rais kwa mujibu wa Ibara ya 150(1)(b) ya Katiba, Kanuni ya 64 (*Utaratibu wa kumwondoa Rais kupitia mashtaka*) itatumika kadri iwezekanavyo.

Utaratibu wa kumwondoa Waziri mamlakani

66. (1) Kabla ya kutoa Arifa ya Hoja kwa mujibu wa Ibara ya 152(6) ya Katiba, Mbunge atawasilisha kwa Katibu, kwa maandishi, nakala ya Hoja anayopendekeza—

(a) ikitaja misingi na maelezo, kwa mujibu wa Ibara ya 152(6) ya Katiba, ya Hoja anayopendekeza;

(b) iliyotiwa sahihi na Mbunge huyo; na

(c) iliyotiwa sahihi za uungwaji mkono na angalau robo ya Wabunge wote.

(2) Masharti ya Kanuni ya 64 (*Utaratibu wa kumwondoa Rais kwa mashtaka*) yatumika kwa Hoja kwa mujibu wa aya ya (1).

(3) Ratiba ya Shughuli ambamo Hoja hiyo imeorodheshwa kwa mujibu wa aya ya (1) itaeleza—

(a) misingi na maelezo ya Hoja inayopendekezwa;

(b) the name of the Member sponsoring the Motion; and

(c) the names of the Members in support of the Motion.

(4) Upon receipt of the Motion by the Clerk any signature appended to the list as provided under paragraph (3) shall not be withdrawn.

(5) If the Motion is supported by at least one-third of the Members of the National Assembly—

(a) the Assembly shall, within seven days, appoint a select committee comprising eleven of its Members to investigate the matter; and

(b) the select committee shall, within ten days, report to the Assembly whether it finds the allegations against the Cabinet Secretary to be substantiated.

(6) The Cabinet Secretary has the right to appear and be represented before the select committee during its investigations.

(7) If the select committee reports that it finds the allegations—

(a) unsubstantiated, no further proceedings shall be taken; or

(b) substantiated, the National Assembly shall—

(i) avail the Cabinet Secretary with the report of the select Committee, together with any other evidence adduced and such notes or papers presented to the committee at least three days before the day scheduled for his or her appearance before the Assembly;

(ii) afford the Cabinet Secretary an opportunity to be heard; and

(iii) consider the Report of the select committee and vote whether to approve the resolution requiring the Cabinet Secretary to be dismissed.

(8) If a resolution requiring the President to dismiss a Cabinet Secretary is supported by a majority of the Members of the National Assembly, the Speaker shall promptly deliver the resolution to the President.

(b) jina la Mbunge anayedhamini Hoja; na

(c) majina ya Wabunge wanaounga mkono Hoja hiyo.

(4) Pindi Katibu anapokea Hoja, sahihi yoyote iliyowekwa kwenye orodha ya Wabunge wanaounga mkono kwa mujibu wa aya ya (3) haitaondolewa.

(5) Iwapo Hoja inaungwa mkono na angalau thuluthi moja ya Wabunge wote wa Bunge la Taifa—

(a) Bunge la Taifa, katika muda usiozidi siku saba, litateua kamati ya Wabunge kumi na mmoja kuchunguza suala hilo; na

(b) Kamati, katika muda usiozidi siku kumi, itaripoti katika Bunge la Taifa iwapo imebaini kuwa tuhuma dhidi ya Waziri zinathibitika.

(6) Waziri ana haki ya kufika na kuwakilishwa mbele ya kamati wakati wa uchunguzi huo.

(7) Iwapo kamati itaripoti kuwa imebaini ya kwamba tuhuma —

(a) hazithibitiki, hakuna hatua zaidi zitakazochukuliwa; au

(b) zinathibitika, Bunge la Taifa—

(i) litampa Waziri ripoti ya Kamati pamoja na ushahidi mwingine wowote uliotolewa na nyaraka zilizowasilishwa kwenye kamati angalau siku tatu kabla ya siku aliyotengewa kufika mbele ya Bunge la Taifa;

(ii) litatoa nafasi kwa Waziri ili kusikilizwa; na

(iii) litashughulikia Ripoti ya Kamati na kupiga kura kuamua iwapo litaidhinisha uamuzi wa kumwondoa Waziri mamlakani.

(8) Iwapo uamuzi wa kumtaka Rais amwondoe Waziri mamlakani utaungwa mkono na wingi wa Wabunge wa Bunge la Taifa, Spika atawasilisha uamuzi huo kwa Rais mara moja.

Right to be heard

67. Whenever the Constitution, any written law or these Standing Orders—

- (a) require the National Assembly to consider a petition or a proposal for the removal of a person from office, the person shall be entitled to appear before the relevant Committee of the Assembly considering the matter and shall be entitled to legal representation;
- (b) require the National Assembly to hear a person on grounds of removal from office, or in such similar circumstances, the Assembly shall hear the person—
 - (i) at the date and time to be determined by the Speaker;
 - (ii) for a duration of not more than two hours or such further time as the Speaker may, in each case determine; and
 - (iii) in such other manner and order as the Speaker shall, in each case, determine.

Priority of Motion

68. A Motion for the removal of a person from office under this Part shall take precedence over all other business on the Order Paper for the day.

PART XV

VOTING AND DIVISIONS

Voting in the House

69. (1) Unless otherwise provided under the Constitution, a question arising in the House shall be decided by a majority of the Members in the House, present and voting.

(2) In ascertaining the results on a question under paragraph (1), the Speaker shall, in the first instance, collect the voices of the “Ayes” and the “Noes” and shall declare the results accordingly.

(3) On a question proposed for a decision in the House, the Speaker has no vote.

Haki ya kusikilizwa

67. Kila mara Katiba, sheria yoyote au Kanuni hizi—

- (a) zinapolihitaji Bunge la Taifa kushughulikia ardhilhali au pendekezo la kumwondoa mtu mamlakani, mtu huyo ana haki ya kufika mbele ya Kamati ya Bunge la Taifa inayoshughulikia suala hilo na atakuwa na haki ya kuwakilishwa kisheria;
- (b) zinapolihitaji Bunge la Taifa kumsikiliza mtu kuhusu sababu za kumwondoa mamlakani, au katika hali sawa na hiyo, Bunge la Taifa litamsikiliza mtu huyo—
 - (i) siku na wakati utakaoamuliwa na Spika;
 - (ii) kwa muda usiozidi saa mbili, au kwa muda zaidi ya huo, kama Spika atakavyoamua kwa kutegemea kila hali; na
 - (iii) kwa namna na mpangilio mwingine wowote kama Spika atakavyoamua kwa kutegemea kila hali.

Hoja kupewa kipaumbele

68. Hoja ya kumwondoa mtu mamlakani kwa mujibu wa Sehemu hii itapewa kipaumbele kuliko shughuli nyingine zote kwenye Ratiba ya Shughuli ya siku hiyo.

SEHEMU YA XV

UPIGAJI KURA NA KURA YA MGAWANYIKO

Utaratibu wa kupiga kura katika Bunge la Taifa

69. (1) Isipokuwa kama Katiba imeelekeza vinginevyo, hoja inayoibuka katika Bunge la Taifa itaamuliwa na wingi wa Wabunge watakaokuwa katika Ukumbi na kupiga kura.

(2) Katika kuthibitisha matokeo ya Hoja kwa mujibu wa aya ya (1), Spika atakadiria sauti za kura ya “Ndiyo” na ya “La” mara ya kwanza na kutangaza matokeo ipasavyo.

(3) Spika hana kura kwa Hoja inayopendekezwa kuamuliwa na Bunge la Taifa.

(4) In determining the number of Members of the House for the purpose of voting, the Speaker shall not be counted as a Member.

Electronic voting

70. (1) Unless the Speaker, for the convenience of the House otherwise directs, voting on a division in the House shall be by electronic voting.

(2) When the Speaker directs that an electronic vote be taken, the Division Bell shall be rung for not more than ten minutes and the House shall proceed to a vote at the expiry of the ten minutes, or such further time as the Speaker may, for the convenience of the House, direct.

(3) During electronic voting, Members shall cast their votes by pressing either the "Yes," "No," or "Abstain" button.

(4) At the expiry of five minutes or as soon as the result of the voting appears on the indicator board, the Speaker or the Chairperson, as the case may be, shall announce the results of the division forthwith.

(5) A Member who is not able to cast his or her vote due to any reason considered sufficient by the Speaker, may before the result of the division is announced and after obtaining the permission of the Speaker, have his or her vote recorded verbally by stating whether he or she is in favour of or against the Question.

(6) Where the presiding officer has an original vote, the presiding officer shall cast his or her vote from the Chair.

Technical failure, confusion or error occurring

71. In the event of a technical failure, confusion or error occurring in the course of voting which in the opinion of the Speaker cannot otherwise be corrected, the Speaker may direct the House to another round of electronic voting or proceed to a roll call voting.

(4) Katika kuamua idadi ya Wabunge kwa minajili ya kupiga kura, Spika hatahesabiwa kama Mbunge.

Kura ya kielektroniki

70. (1) Isipokuwa kama Spika ataelekeza vinginevyo kwa unafuu wa shughuli za Bunge la Taifa, upigaji wa kura ya mgawanyiko utafanyika kielektroniki.

(2) Spika anapoelekeza kura ya kielektroniki itumike, Kengele ya Kura ya Mgawanyiko itakirizwa kwa muda usiozidi dakika kumi na Bunge la Taifa litapiga kura baada ya muda huo au katika muda mwingine zaidi ambao Spika anaweza kuelekeza kwa unafuu wa shughuli za Bunge la Taifa.

(3) Katika kura ya kielektroniki, Wabunge watapiga kura kwa kubofya kitufe cha "Ndiyo", "La" au "Mzio".

(4) Dakika tano zitakapotimia au pindi matokeo ya kura yatakapoonekana kwenye kiwambo, Spika au Mwenyekiti atatangaza matokeo ya kura ya mgawanyiko mara moja.

(5) Mbunge ambaye hakuweza kupiga kura kutokana na sababu ambazo Spika ataridhika nazo anaweza, kabla ya matokeo ya kura ya mgawanyiko kutangazwa, kupiga kura yake kwa kutamka kura ya kuunga au kupinga Hoja hiyo baada ya kupata ruhusa ya Spika.

(6) Iwapo Kiongozi wa kikao ana kura asilia, atapiga kura yake akiwa kwenye Kiti.

Hitilafu ya mitambo, mkanganyiko au kasoro inapotokea

71. Pale ambapo hitilafu ya mitambo, mkanganyiko au kasoro itatokea wakati wa kupiga kura na kwa maoni ya Spika tatizo lililotokea haliwezi kurekebishwa, Spika anaweza kuelekeza awamu nyingine ya kura ya kielektroniki ifanyike au kuamuru kura ya kuita majina ifanyike.

Roll call Division claimed

72. (1) The Speaker shall direct a roll call vote to be taken if a Member claims a division and—

- (a) the Speaker considers that there is a reasonable doubt as to the outcome of the vote in question; or
- (b) if, on a question other than a question of procedure, thirty or more Members rise in their places to support the Member claiming the roll call division.

(2) The Speaker shall direct a division to be taken in every instance where the Constitution lays down that a fixed majority is necessary to decide any question.

Roll call voting

73. (1) When the Speaker directs a roll call voting to be taken, the Division Bell shall be rung for ten minutes.

(2) The names of one teller for the “Ayes” and one teller for the “Noes” shall be submitted to the Speaker, and the Speaker shall direct the tellers to take seats at a designated place.

(3) At the end of ten minutes, the Speaker shall direct the doors to be locked and the Bar drawn and no Member shall thereafter enter or leave the House until after the roll call vote has been taken.

(4) When the doors have been locked and the Bar drawn and the names of the tellers have been announced, the Speaker shall put the question again and direct the Clerk to call out the names of Members in alphabetical order in the presence of the tellers.

(5) When called out, each Member shall, thereupon rise in his or her place and declare assent or dissent to the question in the following manner; “I vote Yes”; or, “I vote No”; or, “I Abstain,” or use appropriate Kenyan sign language.

Kura ya kuita majina inapodaiwa

72. (1) Spika ataelekeza kura ya kuita majina itumike iwapo Mbunge atadai kura ya mgawanyiko na—

- (a) Spika ameshawishika kuwa kuna tashwishi kuhusu matokeo ya kura inayohusika; au
- (b) iwapo, kwa Hoja isipokuwa Hoja ya utaratibu, na Wabunge thelathini au zaidi wasimame mahali pao kumuunga mkono Mbunge anayedai kura ya kuita majina.

(2) Spika ataelekeza kura ya mgawanyiko itumike katika kila hali ambapo Katiba inahitaji wingi wa idadi mahususi ya Wabunge itumike kuamua suala lolote.

Kura ya kuita majina

73. (1) Spika anapoelekeza kura ya kuita majina itumike, Kengele ya Mgawanyiko itakirizwa kwa dakika kumi.

(2) Majina ya mawakala, mmoja wa upande wa “Ndiyo” na mwingine wa upande wa “La”, yatawasilishwa kwa Spika ambaye ataelekeza mawakala hao kuketi katika sehemu iliyotengwa.

(3) Dakika kumi zitakapoisha, Spika ataagiza milango ya Ukumbi ifungwe na Kizuio kifungwe na baada ya hapo hakuna Mbunge yeyote atakayeingia au kutoka katika Ukumbi hadi kura ya kuita majina itakapokamilika.

(4) Mara baada ya milango ya Ukumbi kufungwa na Kizuio kufungwa na majina ya mawakala kutangazwa, Spika atatoa tena Hoja iamuliwe na atamwelekeza Katibu kuita majina ya Wabunge kwa kufuata mpangilio wa kialfabeti mbele ya mawakala.

(5) Kila Mbunge atakayeitwa atasimama mahali pake na kutamka kuridhia au kutoridhia Hoja inayohusika kwa namna ifuatayo: “Ninapiga Kura ya Ndiyo”; au, “Ninapiga Kura ya La”; au, “Nazia” au atumie ishara zifaazo za Lugha ya Ishara ya Kenya kupiga kura.

(6) After the Clerk has read the last name in the Division list, the tellers shall present the result of the roll call vote to the Speaker who shall thereupon announce the result of the vote to the House.

In case of confusion or error

74. In case of confusion or error occurring in the course of a roll call voting concerning the numbers or names recorded, which cannot otherwise be corrected, the Speaker shall direct the House to proceed to another roll call vote.

Errors corrected

75. If, after a roll call vote has been made, it is discovered that the number has been inaccurately reported or that an error has occurred in the names on the division list, the fact shall be reported to the House and the Speaker shall direct that the necessary corrections be made.

Decorum during division

76. (1) No Member shall be obliged to vote in a division, but those present and not voting shall either—

- (a) in the case of electronic voting, press the “Abstain” button; or
- (b) in the case of roll call voting, record their abstention with the Clerk.

(2) It shall be disorderly conduct for a Member to fail to record his or her abstention in a division.

(3) A Member shall not vote on any question in which the Member has a pecuniary interest.

(4) During division, Members shall maintain order in the House and shall be in their designated seats and must remain seated until the result is announced.

(6) Baada ya Katibu kusoma jina la mwisho kwenye Orodha ya Wabunge wote, mawakala watawasilisha matokeo ya kura ya kuita majina kwa Spika ambaye atatangaza matokeo hayo kwa Bunge mara hiyo.

Mkanganyiko au kasoro inapotokea

74. Iwapo wakati wa kura ya kuita majina kutatokea mkanganyiko au kasoro isiyoweza kurekebisha kuhusiana na idadi au majina ya Wabunge waliorekodiwa, Spika ataelekeza kura ya kuita majina irudiwe.

Kurekebisha kasoro

75. Iwapo baada ya kura ya kuita majina kukamilika itagunduliwa kwamba idadi iliyoripotiwa si sahihi au kasoro imetokea kwenye Orodha ya Wabunge wote, Bunge la Taifa litajulishwa na Spika ataelekeza marekebisho yafaayo yafanywe.

Staha wakati wa kura ya mgawanyiko

76. (1) Hakuna Mbunge atakayeshurutishwa kupiga kura wakati wa kura ya mgawanyiko, lakini waliopo na ambao hawapigi kura watahitajika ama—

- (a) kubofya kitufe cha “Mzio” iwapo ni kura ya kielektroniki; au
- (b) kuandikisha kura yake ya kuzia kwa Katibu iwapo ni kura ya kuita majina.

(2) Itakuwa ni utovu wa nidhamu kwa Mbunge kutoandikisha kura yake ya kuzia katika kura ya mgawanyiko.

(3) Mbunge hatapiga kura kwa hoja yoyote ambamo ana maslahi ya kifedha.

(4) Wakati wa kura ya mgawanyiko, Wabunge watadumisha utulivu katika Ukumbi na sharti wasalie vitini mwao hadi matokeo ya kura yatangazwe.

PART XVI

RULES OF DEBATE

Proceedings to be in Kiswahili, English or Kenyan Sign Language

77. (1) All proceedings of the House shall be conducted in Kiswahili, English or in Kenyan Sign Language.

(2) A Member who begins a speech in any of the languages provided for under paragraph (1) shall continue in the same language until the conclusion of the Member's speech.

Members to address the Speaker

78. Every Member desiring to speak shall address a request to the Speaker.

Two or more Members requesting to speak

79. If two or more Members request to speak at the same time, the Member called upon by the Speaker shall be entitled to speak.

Speeches may not be read

80. (1) No Member shall read a speech but a Member may read short extracts from written and printed papers in support of an argument and may refresh memory by reference to notes.

(2) The Speaker may allow a Member to read a speech in particular cases where the Speaker is satisfied that this is necessary for precision in statement of facts.

No Member to speak after Question put

81. No Member shall speak to any question after the same has been put by the Speaker.

Speaking twice to a Question

82. (1) No Member shall speak more than once to a question except in Committee of the whole House.

(2) Despite paragraph (1)—

(a) a Member who has spoken on a question may again be heard to offer explanation of some material part of the Member's speech which has been misunderstood but must not introduce new matter;

SEHEMU YA XVI

MASHARTI YA MJADALA

Shughuli kuendeshwa kwa Kiswahili, Kiingereza au Lugha Ishara ya Kenya

77. (1) Shughuli zote za Bunge la Taifa zitaendeshwa kwa Kiswahili, Kiingereza au Lugha Ishara ya Kenya.

(2) Mbunge anapoanza kutoa mchango wake katika lugha yoyote kati ya zile zilizotajwa katika aya ya (1) ataendelea kwa lugha hiyo hadi mwisho wa mchango wake

Wabunge kuelekeza ombi kwa Spika

78. Kila Mbunge anayetaka kuzungumza ataelekeza ombi lake kwa Spika.

Wabunge wawili au zaidi wanapomba kuchangia

79. Iwapo Wabunge wawili au zaidi wataomba kuchangia kwa wakati mmoja, Mbunge atakayeteuliwa na Spika ndiye atakayechangia.

Kutosoma Michango

80. (1) Mbunge hatasoma mchango lakini anaweza kusoma dondoo fupi kwenye nyaraka na machapisho ili kuthibitisha hoja zake na anaweza kujikumbusha kwa kurejelea vidokezo alivyoandika.

(2) Spika anaweza kumruhusu Mbunge kusoma mchango wake ikiwa Spika ameridhika kwamba kufanya hivyo ni muhimu katika kufafanua usahihi na udhahiri wa maelezo yake

Mbunge kutozungumza baada ya Hoja kutolewa iamuliwe

81. Mbunge hatazungumzia hoja yoyote baada ya Spika kutoa Hoja iamuliwe.

Kuchangia Hoja mara mbili

82. (1) Mbunge hatachangia Hoja zaidi ya mara moja ila tu katika Kamati ya Bunge Zima.

(2) Licha ya aya ya (1)—

(a) Mbunge ambaye amechangia Hoja anaweza kuruhusiwa kuongea tena ili kufafanua sehemu ya mchango wake ambao haukueleweka vizuri ilimradi asiibue suala jipya;

(b) a reply shall be allowed to a Member who has moved a substantive Motion but not to a Member who has moved an amendment.

(3) The mover of a substantive Motion may surrender all or part of his or her right to reply to another Member or Members nominated by him or her who have not already spoken to such Motion.

Member who has spoken to question may speak to amendment

82A Where an amendment has been moved, and if necessary seconded, any Member who has already spoken to the main question may speak to the amendment, and any Member who has not spoken to the main question but speaks to the amendment does not thereby forfeit the right to speak to the main question.

Debate on amendment confined to amendment

82B. (1) Where an amendment has been moved, and if necessary seconded, debate shall be confined to the amendment.

(2) Despite paragraph (1), the Speaker may direct that the debate on the amendment may include debate on the matter of the Motion where, in the Speaker's opinion, the matter of the amendment is not conveniently severable from the matter of the Motion.

(3) Where the Speaker issues directions under paragraph (2), a Member who speaks to the amendment shall not be entitled, after the amendment has been disposed of, to speak to the Motion, and any Member who has already spoken to the Motion may in speaking to the amendment, speak only to any new matter raised thereby.

Reserving rights of speech

82C. Upon a Motion, other than a Motion by way of amendment to a question proposed by the Speaker, a Member may second by rising in his or her place and signifying acquiescence by bowing the head, without speaking, and such Member shall thereby reserve the same rights of speech as the Member would have had if some other Member had seconded such Motion.

(b) Mbunge aliyewasilisha Hoja mahususi atapewa haki ya kuhitimisha Hoja lakini Mbunge aliyewasilisha marekebisho hana haki hiyo.

(3) Mbunge mwenye Hoja mahususi anaweza kuacha haki yake yote ya kuhitimisha Hoja au sehemu ya haki hiyo kwa Mbunge mwingine au wengine atakaowateua na ambao hawajachangia Hoja hiyo.

Mbunge aliyechangia Hoja anaweza kuchangia rekebisho

82A. Rekebisho linapopendekezwa na kuafikiwa, ikiwa lafaa kuafikiwa, Mbunge ambaye amechangia Hoja anaweza kuchangia rekebisho na Mbunge yeyote ambaye hajachangia Hoja lakini amechangia rekebisho hatapoteza haki yake ya kuchangia Hoja.

Mjadala wa rekebisho kujikita kwenye rekebisho

82B. (1) Rekebisho la Hoja likishatolewa, na kuafikiwa ikiwa lafaa kuafikiwa, mjadala wake utajikita kwenye rekebisho hilo.

(2) Licha ya aya ya (1), Spika anaweza kuelekeza kuwa mjadala kuhusu rekebisho unaweza kujumuisha masuala yanayohusiana na Hoja iwapo, kwa maoni yake, sio rahisi kutenganisha masuala yanayoibuka kwenye rekebisho kutokana na maudhui ya hoja.

(3) Spika anapotoa maelekezo kwa mujibu wa aya ya (2), Mbunge ambaye amechangia rekebisho atapoteza haki ya kuchangia Hoja baada ya rekebisho hilo kuamuliwa na iwapo Mbunge yeyote aliyechangia Hoja atachangia rekebisho, atazungumzia tu suala jipya litakaloibuka.

Kuhifadhi haki ya kuchangia

82C. Hoja ikishatolewa, isipokuwa Hoja ya rekebisho iliyopendekezwa na Spika, Mbunge anaweza kusimama mahali pake na kuinamisha kichwa kuashiria kuafiki Hoja bila kuzungumza na kwa kufanya hivyo atakuwa amehifadhi haki ya kuchangia kana kwamba Hoja hiyo imeafikiwa na Mbunge mwingine.

Points of Order

83. (1) Any Member may raise a point of order at any time during the speech of another Member stating that the Member rises on a point of order and that Member shall be required to indicate the Standing Order upon which the point of order is based.

(2) When a Member raises a point of order during the speech of another Member, the Member who was speaking shall thereupon resume his or her seat and the Member raising the point of order shall do likewise when he or she has concluded his or her submission, but no other Member may, except by leave of the Speaker, speak on the point of order.

(3) The Speaker shall either give a decision on the point of order forthwith or announce that the decision is deferred for consideration after which the Member who was speaking at the time the point of order was raised may continue to speak.

(4) The Speaker or the Chairperson, as the case may be, shall order any Member who unnecessarily and persistently interrupts proceedings or consults loudly and disruptively to withdraw from the Chamber and Standing Order 107 (*Disorderly conduct*) shall apply to any such Member.

Personal Statements

84. By the indulgence of the House, a Member may explain matters of a personal nature although there is no question before the House, but such matter may not be debated.

Anticipating debate

85. (1) It shall be out of order to anticipate the debate of a Bill which has been published as such in the *Gazette* by discussion upon a substantive Motion or an amendment, or by raising the subject matter of the Bill upon a Motion for the adjournment of the House.

(2) It shall be out of order to anticipate the debate of a Motion of which notice has been given by discussion upon a substantive Motion or an amendment, or by raising the same subject matter upon a Motion of the adjournment of the House.

Hoja ya Nidhamu

83. (1) Mbunge yeyote anaweza kuibua hoja ya nidhamu wakati wowote Mbunge mwingine anapochangia kwa kueleza kwamba anasimama kwa hoja ya nidhamu na atahitajika kuitaja Kanuni inayokiukwa.

(2) Mbunge anapoibua hoja ya nidhamu wakati wa mchango wa Mbunge mwingine, Mbunge aliyekuwa akichangia ataketi na Mbunge anayeibua hoja ya nidhamu pia atafanya vivyo hivyo atakapomaliza kuiwasilisha, hakuna Mbunge mwingine yeyote atakayechangia hoja hiyo ya nidhamu ila tu kwa idhini ya Spika.

(3) Spika atatoa uamuzi kuhusu hoja ya nidhamu papo hapo au atatangaza kuwa uamuzi utatolewa baada ya kuitathmini na Mbunge aliyekuwa akichangia kabla ya hoja ya nidhamu kutolewa anaweza kuendelea kuchangia.

(4) Spika au Mwenyekiti atamuamuru Mbunge yeyote ambaye anaendelea kuvuruga shughuli bila sababu za msingi au kushauriana kwa sauti ya juu, aondoke katika Ukumbi na masharti ya Kanuni ya 107 (*Utovu wa Nidhamu*) yatumika kwa Mbunge mwingine yeyote kama huyo.

Kauli za Kibinafsi

84. Mbunge yeyote, kwa idhini ya Bunge, anaweza kutoa kauli ya kibinafsi inayolenga kufafanua masuala ya kibinafsi tu hata kama hakuna Hoja katika Bunge kuhusu kauli hiyo, ila kauli hiyo haitajadiliwa.

Kuwahi mjadala

85. (1) Ni marufuku kuwahi mjadala wa Mswada ambao tayari umechapishwa kwenye *Gazeti Rasmi* la Serikali kupitia kwa Hoja mahususi au kwa rekebisho, au kuibua maudhui ya Mswada huo kupitia Hoja ya kuahirisha shughuli za Bunge la Taifa.

(2) Ni marufuku kuwahi mjadala wa Hoja ambayo arifa yake imeshatolewa katika Bunge kwa kujadili Hoja mahususi au rekebisho, au kuibua maudhui yanayofanana na Hoja hiyo kupitia kwa Hoja ya kuahirisha shughuli za Bunge la Taifa.

(3) In determining whether a debate is out of order on the grounds of anticipation, regard shall be had to the probability of the matter anticipated being brought before the House within a reasonable time.

Proceedings of Select Committees not to be referred to

86. No Member shall refer to the substance of the proceedings of a Select Committee before the Committee has made its report to the House.

Contents of speeches

87. (1) Neither the personal conduct of the President, nor the conduct of the Speaker or of any judge, nor the judicial conduct of any other person performing judicial functions, nor any conduct of the Head of State or Government or the representative in Kenya of any friendly country or the conduct of the holder of an office whose removal from such office is dependent upon a decision of the House shall be referred to adversely, except upon a specific substantive Motion of which at least three days' notice has been given.

(2) It shall be out of order to introduce an argument on any specific question upon which the House has taken a decision during the same Session, except upon a Motion to rescind that decision made with the permission of the Speaker.

(3) It shall be out of order to use offensive or insulting language whether in respect of Members of the House or other persons.

(4) No Member shall impute improper motive to any other Member or to a Senator except upon a specific substantive Motion of which at least three days' notice has been given, calling in question the conduct of that Member or Senator.

(5) It shall be out of order for a Member to criticize or call to question, the proceedings in the Senate or the Speaker's Ruling in the Senate but any debate may be allowed on the structures and roles of the Senate or Parliament.

(3) Katika kuamua iwapo mjadala umekiuka utaratibu kwa misingi ya kuuwahi, uamuzi utazingatia uwezekano wa jambo hilo kuwasilishwa katika Bunge la Taifa kwa muda ufao.

Kutorejelea shughuli za Kamati

86. Mbunge yeyote hatarejelea au kujadili kiini cha mambo yanayoshughulikiwa na Kamati kabla Kamati hiyo haijawasilisha ripoti yake katika Bunge la Taifa.

Maudhui ya michango

87. (1) Hairuhusiwi kudhalilisha mwenendo binafsi wa Rais, Spika, Jaji, mtu yeyote anayetokeleza majukumu ya kimahakama, mwenendo wa Mkuu wa Nchi au Serikali, mwakilishi wa nchi yoyote rafiki nchini Kenya au mwenendo wa ofisa yeyote ambaye kuondolewa kwake mamlakani kunahitaji uamuzi wa Bunge la Taifa, isipokuwa kupitia kwa Hoja mahususi ambayo arifa yake imetolewa angalau siku tatu kabla ya Hoja hiyo kujadiliwa.

(2) Ni marufuku kuibua mjadala kuhusu suala ambalo limeamuliwa na Bunge la Taifa katika Kipindi hicho, isipokuwa kupitia Hoja ya kutengua uamuzi huo ambayo itatolewa kwa ruhusa ya Spika.

(3) Ni marufuku kutumia lugha ya kuudhi au ya matusi kwa Wabunge au watu wengine.

(4) Mbunge hatatoa tuhuma zisizo na msingi kuhusu Mbunge mwingine yeyote au Seneta isipokuwa kwa Hoja mahususi ambayo arifa yake imetolewa angalau siku tatu kabla ya Hoja ya kujadili mwenendo wa Mbunge au Seneta huyo.

(5) Ni marufuku kwa Mbunge kushutumu au kukosoa shughuli za Seneti au Uamuzi Maalum wa Spika wa Seneti ingawa mjadala unaweza kuruhusiwa kuhusu muundo na majukumu ya Seneti au Bunge.

Retraction and Apologies

88. A Member who has used exceptional words and declines to explain and retract the words or to offer apologies for the use of the words to the satisfaction of the Speaker shall be deemed to be disorderly and shall be dealt with in accordance with the rules pertaining to disorderly conduct.

Matters *sub judice* or secret

89. (1) Subject to paragraph (5), no Member shall refer to any particular matter which is *sub judice* or which, by the operation of any written law, is secret.

(2) A matter shall be considered to be *sub judice* when it refers to active criminal or civil proceedings and the discussion of such matter is likely to prejudice its fair determination.

(3) In determining whether a criminal or civil proceeding is active, the following shall apply—

- (a) criminal proceedings shall be deemed to be active when a charge has been made or a summons to appear has been issued;
- (b) criminal proceedings shall be deemed to have ceased to be active when they are concluded by verdict and sentence or discontinuance;
- (c) civil proceedings shall be deemed to be active when arrangements for hearing, such as setting down a case for trial, have been made, until the proceedings are ended by judgment or discontinuance;
- (d) appellate proceedings whether criminal or civil shall be deemed to be active from the time when they are commenced by application for leave to appeal or by notice of appeal until the proceedings are ended by judgment or discontinuance.

(4) A Member alleging that a matter is *sub judice* shall provide evidence to show that paragraphs (2) and (3) are applicable.

(5) Notwithstanding this Standing Order, the Speaker may allow reference to any matter before the House or a Committee.

Kuondoa machukizo na kuomba radhi

88. Mbunge ambaye ametumia maneno yanayochukiza na kukataa kutoa maelezo na kuondoa maneno hayo au kuomba radhi inayomridhisha Spika atachukuliwa kuwa mtovu wa nidhamu na atadhibiwa kwa mujibu wa masharti yanayohusu utovu wa nidhamu.

Masuala yanayosubiri uamuzi wa Mahakama au masuala ya siri

89. (1) Kwa kuzingatia aya ya (5), Mbunge hataruhusiwa kuzungumzia suala lolote ambalo linasubiri uamuzi wa Mahakama au ni la siri kwa mujibu wa sheria yoyote.

(2) Suala litachukuliwa kuwa linasubiri uamuzi wa Mahakama ikiwa linarejelea kesi ya jinai au daawa inayoendelea na mjadala kuhusu suala hilo unaweza kuathiri uamuzi wa haki.

(3) Katika kuamua iwapo kesi ya jinai au daawa inaendelea, yafuatayo yatazingatiwa—

- (a) kesi ya jinai itachukuliwa kuwa inaendelea ikiwa mashtaka yamesomwa mahakamani au hati ya wito wa mahakama imetolewa;
- (b) kesi ya jinai itachukuliwa kuwa imekwisha iwapo itahitimishwa baada ya uamuzi na hukumu kutolewa au baada ya kesi kukomeshwa;
- (c) kesi ya daawa itachukuliwa kuwa inaendelea iwapo taratibu za kusikiliza kesi hiyo, kama vile kupanga kesi kwa ajili ya kusikilizwa, zimefanywa, hadi kesi itakapohitimishwa baada ya hukumu kutolewa au kesi kukomeshwa;
- (d) Rufaa ya kesi ya jinai au ya daawa itachukuliwa kuwa inaendelea kuanzia wakati ambapo rufaa imeanzishwa kupitia kwa ombi la idhini au notisi ya kukata rufaa inapotolewa hadi rufaa itakapohitimishwa baada ya hukumu kutolewa au kesi kukomeshwa.

(4) Mbunge anayedai kuwa suala linasubiri uamuzi wa Mahakama atahitajika kutoa ithibati inayoonyesha kwamba aya ya (2) na ya (3) zinatumika.

(5) Licha ya Kanuni hii, Spika anaweza kuruhusu kurejelewa kwa jambo lolote lililo katika Bunge la Taifa au kwenye Kamati.

Declaration of interest

90. (1) A Member who wishes to speak on any matter in which the Member has a personal interest shall first declare that interest.

(2) Personal interests include pecuniary interest, proprietary interest, personal relationships and business relationships.

Responsibility for statement of fact

91. (1) A Member shall be responsible for the accuracy of any facts which the Member alleges to be true and may be required to substantiate any such facts instantly.

(2) If a Member has sufficient reason to convince the Speaker that the Member is unable to substantiate the allegations instantly, the Speaker shall require that such Member substantiates the allegations not later than the next sitting day, failure to which the Member shall be deemed to be disorderly within the meaning of Standing Order 107 (*Disorderly conduct*) unless the Member withdraws the allegations and gives a suitable apology, if the Speaker so requires.

92. (*Deleted*)

93. (*Deleted*)

94. (*Deleted*)

Closure of debate

95. (1) After the question on a Motion the Mover of which has a right of reply has been proposed, a Member rising in his or her place may claim to move "That, the Mover be now called upon to reply," and, unless the Speaker is of the opinion that such Motion is an abuse of the proceedings of the House, or an infringement of the rights of Members, the question "That, the Mover be now called upon to reply," shall be put forthwith, and decided without amendment or debate and if that question is agreed to, the Mover may, immediately reply to the debate, and as soon as the Mover has concluded or, if the Mover does not wish to reply, immediately, the Speaker shall put the question, subject to paragraph 3 of Standing Order 53 (*Manner of debating Motions*).

Kutangaza maslahi ya kibinafsi

90. (1) Mbunge anayetaka kuzungumzia jambo lolote ambalo ana maslahi ya kibinafsi nalo, atataja maslahi hayo kabla ya kulizungumzia jambo hilo.

(2) Maslahi ya kibinafsi yanajumuisha maslahi ya kifedha, maslahi ya umiliki wa mali, mahusiano ya kibinafsi na ya kibiashara.

Kuwajibikia madai

91. (1) Mbunge atawajibikia usahihi wa jambo lolote analodai kuwa ni la kweli na anaweza kutakiwa kuthibitisha madai hayo papo hapo

(2) Iwapo Mbunge ana sababu ya kumridhisha Spika kwamba Mbunge anayechangia hawezi kuthibitisha madai yake papo hapo, Spika atamhitaji Mbunge anayechangia kuthibitisha madai yake isiwe baada ya kikao kinachofuata, vinginevyo, atachukuliwa kuwa amekiuka masharti kwa mujibu wa Kanuni ya 107 (*Utovu wa Nidhamu*) isipokuwa kama Mbunge huyo ataondoa madai hayo na kuomba radhi ifaayo, iwapo Spika atamhitaji kufanya hivyo.

92. (*Imefutwa*)

93. (*Imefutwa*)

94. (*Imefutwa*)

Kuhitimisha mjadala

95. (1) Baada ya Hoja ambayo Mtoahoja ana haki ya kuhitimisha imependekezwa ijadiliwe, Mbunge anaweza kusimama mahali pake na kutoa Hoja "Kwamba, Mtoahoja sasa aitwe kuhitimisha," na, isipokuwa kama Spika ana maoni kwamba Hoja hiyo inahujumu shughuli za Bunge la Taifa au inakiuka haki za Wabunge, Hoja "Kwamba, Mtoahoja sasa aitwe kuhitimisha," itatolewa mara moja ili iamuliwe na itaamuliwa bila rekebisho au mjadala na ikipitishwa, Mtoahoja anaweza kuhitimisha papo hapo na, punde baada ya Mtoahoja kuhitimisha, au kama hataki kuhitimisha, Spika atalihoji Bunge la Taifa kuamua Hoja hiyo mara moja kwa mujibu wa aya ya 3 ya Kanuni ya 53 (*Utaratibu wa kujadili Hoja*).

(2) After the question on a Motion the Mover of which has no right of reply has been proposed, a Member rising in his or her place may claim to move "That, the question be now put," and, unless the Speaker is of the opinion that such a Motion is an abuse of the proceedings of the House, or an infringement of the rights of Members, the question "That, the question be now put," shall be put forthwith, and decided without amendment or debate and if that question is agreed to, the Speaker shall immediately put the question accordingly, subject to paragraph (3) of Standing Order 53 (*Manner of debating Motions*).

Resumption of interrupted business

95A. Any debate interrupted under this Part shall on coming again before the House or the Committee, be resumed at the point where it was interrupted and any Member whose speech was so interrupted shall have the right to speak on such resumption for the remainder of the time available to him or her; but if such Member does not avail himself or herself of this right, his or her speech shall be deemed to have been concluded.

Adjournment of debate

96. (1) A Member who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the Chair may claim to move "That, the debate be now adjourned," or, in Committee of the whole House "That, the Chairperson do report progress."

(2) The debate on a dilatory Motion shall be confined to the matter of the Motion.

(3) If the Speaker is of the opinion that a dilatory Motion is an abuse of the proceedings of the House, the Speaker may forthwith put the question thereon or decline to propose it.

(4) A Member who has moved or seconded a dilatory Motion which has been negatived may not subsequently move or second another such Motion during the same debate, whether in the House or in Committee of the whole House.

(2) Baada ya Hoja ambayo Mtoahoja hana haki ya kuhitimisha imependekezwa ijadiliwe, Mbunge anaweza kusimama mahali pake na kutoa Hoja "Kwamba, Hoja sasa itolewe ili iamuliwe" na, isipokuwa kama Spika ana maoni kwamba Hoja hiyo inahujumu shughuli za Bunge la Taifa au inakiuka haki za Wabunge, Hoja "Kwamba, Hoja sasa itolewe ili iamuliwe," itatolewa mara moja ili iamuliwe na itaamuliwa bila rekebisho au mjadala na ikipitishwa, Spika atalihoji Bunge la Taifa kuamua Hoja hiyo mara moja kwa mujibu wa aya ya 3 ya Kanuni ya 53 (*Utaratibu wa kujadili Hoja*).

Kuendeleza shughuli iliyositishwa

95A. Mjadala wowote uliositishwa kwa mujibu wa Sehemu hii utakaporejewa katika Bunge la Taifa au kwenye Kamati, utaendelezwa mahali ulipokuwa umefikia na Mbunge yeyote ambaye mchango wake ulisitishwa atakuwa na haki ya kuchangia kwa muda wake uliosalia vinginevyo Mbunge huyo asipojitokeza kutumia haki yake, itachukuliwa kwamba alikuwa amekamilisha mchango wake.

Kuahirisha mjadala

96. (1) Mbunge anayekusudia kuahirisha mjadala wa Hoja iliyopendekezwa na Spika au Mwenyekiti ili ijadiliwe wakati mwingine anaweza kuomba kuwasilisha Hoja "Kwamba, sasa mjadala uahirishwe," au, iwapo Bunge la Taifa lipo kwenye Kamati ya Bunge Zima "Kwamba, Mwenyekiti aripoti hatua iliyofikiwa."

(2) Mjadala wa Hoja ya Mkawilisho utajikita kwenye suala la Hoja hiyo.

(3) Iwapo Spika ana maoni kwamba Hoja ya Mkawilisho inahujumu shughuli za Bunge la Taifa, anaweza kutoa Hoja mara moja iamuliwe au kukataa kuipendekeza ijadiliwe.

(4) Mbunge ambaye ametoa au ameafiki Hoja ya Mkawilisho na kukataliwa hataruhusiwa kutoa au kuafiki Hoja nyingine kama hiyo katika mjadala huo kwenye Kamati ya Bunge Zima au katika Bunge la Taifa.

PART XVII

LIMITATION OF DEBATE

Limitation of debate

97. (1) The House may, on a Motion made by any Member in accordance with this Standing Order, impose a limit in respect of debate on any particular Motion or Bill by allotting a limited period of time for such debate or by limiting the time during which Members may speak in such debate or by imposing such limitations.

(2) A Motion for limitation of debate under this Standing Order may be made without notice.

(3) A Motion under paragraph (2) shall not be made in the course of the debate to which it refers unless it is moved after the adjournment of such debate and before the debate is resumed.

(4) No Member may speak in a debate on Bills, Sessional Papers, Motions or Reports of Committees for more than twenty minutes without the leave of the Speaker but the Leader of Majority Party and the Leader of Minority Party may each speak for a maximum of 60 minutes.

PART XVIII

ORDER IN THE HOUSE AND IN COMMITTEE OF THE WHOLE HOUSE

Maintenance of order

98. Order shall be maintained in the House by the Speaker and in a Committee of the whole House by the Chairperson of such Committee but disorder in Committee may be censured only by the House on receiving a report thereof.

Security checks

99. (1) A Member shall be subjected to a security check or screening before entering the Chamber.

SEHEMU YA XVII

KUDHIBITI MJADALA

Kudhibiti mjadala

97. (1) Bunge la Taifa linaweza kudhibiti mjadala kuhusu Hoja au Mswada kwa kutenga muda wa mjadala huo au kwa kudhibiti muda ambao Wabunge wanaweza kuchangia mjadala huo au kwa kuweka vidhibiti vinginevyo, kufuatia Hoja iliyotolewa na Mbunge yeyote kwa mujibu wa Kanuni hii.

(2) Hoja ya kudhibiti mjadala kwa mujibu wa Kanuni hii inaweza kutolewa bila arifa.

(3) Hoja kwa mujibu wa aya ya (2) haitatolewa iwapo inadhibiti mjadala unaoendelea isipokuwa kama Hoja hiyo imetolewa baada ya kuahirishwa kwa mjadala huo na kabla ya mjadala huo kuendelezwa.

(4) Mbunge yeyote hataruhusiwa kuchangia Miswada, Sera za Serikali, Hoja au Ripoti za Kamati kwa zaidi ya dakika ishirini bila idhini ya Spika isipokuwa Kiongozi wa Chama cha walio Wengi na Kiongozi wa Chama cha Walio wachache ambao wanaweza kuchangia kwa muda usiozidi dakika sitini kila mmoja.

SEHEMU YA XVIII

UTULIVU KATIKA UKUMBI NA KWENYE KAMATI YA BUNGE ZIMA

Kudumisha utulivu

98. Spika atakuwa na wajibu wa kudumisha utulivu katika Bunge la Taifa na Mwenyekiti atadumisha utulivu katika Kamati ya Bunge Zima lakini kukosekana kwa utulivu wakati wa Kamati ya Bunge Zima kutakaripiwa na Bunge la Taifa baada ya kupokea ripoti.

Ukaguzi wa kiusalama

99. (1) Mbunge atakaguliwa kwa ajili ya kuhakikisha usalama kabla ya kuingia katika Ukumbi.

(2) The security check or screening under paragraph (1) shall extend to a handbag or other accessory that a Member intends to enter with into the chamber.

Firearms and other offensive weapons

100. No Member shall bring a firearm or any offensive weapon into the Chamber and any such weapon must be deposited with the Serjeant-at-Arms for safe custody before entering the Chamber, and collected at the time of leaving the Chamber.

Lady Members' handbags

101. A lady Member may be allowed into the Chamber with a handbag of reasonable size.

When the Speaker rises Members to be silent

102. Whenever the Speaker or the Chairperson of Committees rises, any Member then speaking, or offering to speak, shall resume his or her seat and the House or the Committee shall be silent, so that the Speaker or the Chairperson of Committees may be heard without interruption.

Members and the Chair

103. (1) Every Member shall bow to the Chair in passing to or from his or her seat or across the Floor of the House but, a Member may show respect in any other manner consistent with the Member's faith and with the dignity of the House.

(2) No Member shall pass between the Chair and any Member who is speaking or between the Chair and the Table except in so far as it is necessary for the purpose of the administration of Oath or Affirmation of Allegiance.

Members to be seated

104. Except when passing to and from his or her seat or when speaking, every Member when in the Chamber shall be seated, and shall not at any time stand in any of the passages and gangways.

(2) Ukaguzi wa kiusalama kwa mujibu wa aya ya (1) utahusisha ukaguzi wa mkoba au kifaa kingine ambacho Mbunge anakusudia kuingia nacho katika Ukumbi.

Bunduki na silaha nyingine hatari

100. Mbunge hataruhusiwa kuingia katika Ukumbi akiwa na bunduki au silaha nyingine yoyote hatari na atahitajika kumkabidhi Mpambe wa Bunge la Taifa bunduki au silaha hiyo kabla ya kuingia katika Ukumbi na atarejeshewa akitoka katika Ukumbi .

Mikoba ya Wabunge wa kike

101. Mbunge wa kike anaweza kuruhusiwa kuingia katika Ukumbi akiwa na mkoba wenye ukubwa wa wastani.

Wabunge kuwa kimya Spika anaposimama

102. Kila wakati Spika au Mwenyekiti wa Kamati anaposimama, Mbunge yeyote anayechangia au anayetaka kuchangia ataketi kwenye kiti chake na Bunge la Taifa au Kamati litakuwa kimya ili Spika au Mwenyekiti wa Kamati asikilizwe bila kukatizwa.

Wabunge na Kiongozi wa Kikao

103. (1) Kila Mbunge anapopita kutoka au kuelekea kwenye kiti chake au anapovuka Sakafu ya Ukumbi, atainamisha kichwa kwa staha kuelekea kwa Kiongozi wa Kikao au kuonyesha heshima kwa Kiongozi wa Kikao kwa namna nyingine yoyote kulingana na imani yake na hadhi ya Bunge.

(2) Hakuna Mbunge atakayepita kati ya Kiongozi wa Kikao na Mbunge anayechangia au kati ya Kiongozi wa Kikao na Meza isipokuwa pale itakapohitajika wakati wa kiapo.

Wabunge kuketi

104. Kila Mbunge atasalia ameketi akiwa katika Ukumbi na hataruhusiwa kusimama kwenye vijia baina ya viti isipokuwa wakati anaondoka au kurejea kwenye kiti chake au anapochangia.

Members to remain in their places until the Speaker has left the Chamber

105. When the House adjourns, Members shall stand in their places until the Speaker has left the Chamber.

Irrelevance or repetition

106. The Speaker or the Chairperson of Committees, after having called attention to the conduct of a Member who persists in irrelevance or tedious repetition either of the Member's own arguments or the arguments used by other Members in debate, may, after having first warned him or her direct that the Member discontinue his or her speech.

Disorderly conduct

107. (1) A Member commits an act of disorderly conduct if the Member—

- (a) creates actual disorder;
- (b) knowingly raises a false point of order;
- (c) unnecessarily interrupts proceedings or consults in a disruptive manner;
- (d) fails to record abstention in a division;
- (e) fails to declare personal interest in a matter before the House or a Committee in accordance with Standing Order 90 (*Declaration of interest*);
- (f) deliberately gives false information to the House;
- (g) makes allegations without, in the Speaker's opinion, adequate substantiation;
- (h) threatens to use violence against a Member or other person in the House or Committee;
- (i) votes more than once in breach of these Standing Orders;
- (j) commits any other breach of these Standing Orders, that in the opinion of the Speaker, constitutes disorderly conduct.

(2) The Speaker may call a Member whose conduct is disorderly to order, and—

Wabunge kusalia mahali pao hadi Spika atakapoondoka katika Ukumbi

105. Kikao cha Bunge la Taifa kinapoahirishwa, Wabunge watasimama mahali pao hadi Spika atakapoondoka katika Ukumbi.

Kutoka nje ya mada au kurudiarudia

106. Spika au Mwenyekiti wa Kamati akishamjulisha Mbunge kuhusu mwenendo wake wa kuendelea kutoka nje ya mada au kurudiarudia maneno au mchango wake au michango ya Wabunge wengine katika mjadala, anaweza kumwamuru Mbunge huyo akomeshe mchango wake baada ya kumpa onyo.

Utovu wa nidhamu

107. (1) Mbunge atakuwa ametenda kosa la utovu wa nidhamu ikiwa—

- (a) atasababisha vurugu;
- (b) ataibua hoja ya nidhamu isiyo ya ukweli kimaksudi;
- (c) atachachawiza shughuli za Bunge la Taifa bila msingi au kushauriana kwa namna inayovuruga shughuli;
- (d) atakosa kuandikisha kura yake ya mzio katika kura ya mgawanyiko;
- (e) hatatangaza maslahi ya kibinafsi katika jambo linaloshughulikiwa na Bunge la Taifa au Kamati kwa mujibu wa Kanuni ya 90 (*Kutangaza maslahi ya kibinafsi*);
- (f) atatoa habari zisizo za ukweli katika Bunge la Taifa kimaksudi;
- (g) atatoa tuhuma ambazo, kwa maoni ya Spika, hazina ushahidi wa kutosha;
- (h) atashia kutumia nguvu dhidi ya Mbunge au mtu mwingine katika Bunge la Taifa au kwenye Kamati;
- (i) atapiga kura zaidi ya mara moja kinyume na Kanuni hizi;
- (j) atakiuka Kanuni hizi kwa namna nyingine yoyote ambayo, kwa maoni ya Spika, ni utovu wa nidhamu.

(2) Spika anaweza kumtaka Mbunge ambaye ametenda kosa la utovu wa nidhamu kujirekebisha, na—

- (a) caution the Member; or
- (b) order the Member to withdraw from the precincts of the Assembly for a maximum of four days.

Gross disorderly conduct

107A. (1) A Member commits an act of gross disorderly conduct if the Member—

- (a) defies a ruling or direction of the Speaker or Chairperson of Committees;
- (b) declines to explain or retract use of unparliamentary words or declines to offer apologies, despite having been ordered to do so by the Speaker;
- (c) demonstrates or makes disruptive utterances against the suspension of a Member;
- (d) attempts to or causes disorder of whatever nature during an address by a visiting dignitary;
- (e) uses violence against a Member or other person in the House or Committee;
- (f) attempts to or disrupts the Speaker's Procession when the Procession is entering or leaving the Chamber;
- (g) attempts to or removes the mace from its place in the Chamber;
- (h) acts in any other way to the serious detriment of the dignity or orderly procedure of the House; or
- (i) commits any other breach of these Standing Orders, that in the opinion of the Speaker, constitutes gross disorderly conduct.

(2) In this Standing Order, "unparliamentary language" means the use of words which, in the opinion of the person presiding, are deemed to be impolite, rude, abusive or inconsistent with parliamentary procedure or practice.

- (a) kumwonya Mbunge huyo; au
- (b) kumuamuru Mbunge huyo kuondoka maeneo ya Bunge kwa muda usiozidi siku nne.

Utovu mkubwa wa nidhamu

107A. (1) Mbunge atakuwa ametenda kosa la utovu mkubwa wa nidhamu ikiwa—

- (a) atapuza uamuzi au maelekezo ya Spika au Mwenyekiti wa Kamati;
- (b) atakataa kufafanua au kuondoa maneno yasiyo ya kibunge au atakataa kuomba radhi licha ya Spika kumtaka kufanya hivyo;
- (c) atadhihirisha au kutoa matamshi ya ubishi dhidi ya uamuzi wa kumsimamisha Mbunge kutohudhuria vikao kwa muda;
- (d) atajaribu kutenda au atatenda kosa la utovu wa nidhamu wa namna yoyote wakati wa hotuba ya mgeni mashuhuri;
- (e) atatumia nguvu dhidi ya Mbunge au mtu mwingine katika Bunge la Taifa au kwenye Kamati;
- (f) atajaribu kuvuruga au atavuruga Msafara wa Spika unapoinjia au unapotoka katika Ukumbi;
- (g) atajaribu kuondoa au ataondoa mesi kutoka mahali pake katika Ukumbi;
- (h) atatenda kwa namna nyingine yoyote ambayo itashusha hadhi ya Bunge la Taifa kwa kiasi kikubwa au kuvuruga utaratibu wa Bunge la Taifa;
- (i) atakiuka Kanuni hizi kwa namna nyingine yoyote ambayo, kwa maoni ya Spika, ni utovu mkubwa wa nidhamu.

(2) Katika Kanuni hii, "matamshi yasiyo ya kibunge" ina maana ya kutumia maneno ambayo, kwa maoni ya kiongozi wa kikao, yanaashiria ujeuri, kukosa adabu, matusi au kutozingatia utaratibu au desturi za Bunge.

(3) The Speaker may call a Member whose conduct is grossly disorderly to order, and shall order the Member to withdraw immediately from the precincts of the Assembly for a minimum of five days and a maximum of twenty-eight days, including the day of suspension.

Member may be suspended after being named

108. (1) Any Member may at any time, on a point of order, invite the Speaker or the Chairperson of Committees to name another Member for grossly disorderly conduct, but the decision whether or not to do so shall remain with the Speaker or Chairperson.

(2) Whenever a Member shall have been named by the Speaker or by the Chairperson, then –

- (a) if the breach has been committed by such Member in the House, a Motion shall be made by any other Member present “That, such Member (naming the Member) be suspended from the service of the House,” and the Speaker shall forthwith put the question thereon, no amendment, adjournment, or debate being allowed;
- (b) if the breach has been committed in a Committee of the whole House, the Chairperson shall forthwith leave the Chair and report the circumstances to the House; and the Speaker shall on a Motion as aforesaid being made, forthwith put the question, no amendment, adjournment or debate being allowed, as if the offence had been committed in the House itself.

Member suspended to withdraw from precincts of Parliament

109. Whenever a Member has been named in accordance with Standing Order 108 (*Member may be suspended after being named*), the Speaker shall order the Member to withdraw from the Chamber and the precincts of the Assembly.

(3) Spika anaweza kumtaka Mbunge ambaye ametenda kosa la utovu mkubwa wa nidhamu kujirekebisha, na kumuamuru Mbunge huyo kuondoka maeneo ya Bunge mara moja kwa muda usiopungua siku tano na usiozidi siku ishirini na nane, ikiwemo siku aliyosimamishwa kuhudhuria vikao kwa muda.

Mbunge anaweza kusimamishwa kwa muda baada ya kutajwa jina

108. (1) Mbunge yeyote wakati wowote ule, kupitia hoja ya nidhamu, anaweza kumuomba Spika au Mwenyekiti wa Kamati kwa kumtaja Mbunge kwa jina utovu mkubwa wa nidhamu lakini uamuzi wa kufanya hivyo ni wa Spika au Mwenyekiti.

(2) Wakati wowote Mbunge atakapotajwa kwa jina na Spika au Mwenyekiti, basi

- (a) iwapo ukiukaji umefanywa na Mbunge katika Ukumbi, Hoja itawasilishwa na Mbunge yeyote “Kwamba, Mbunge huyo (jina la Mbunge) asimamishwe kuhudhuria vikao kwa muda,” na Spika atatoa Hoja ili iamuliwe mara moja bila marekebisho, ahirisho au mjadala;
- (b) iwapo ukiukaji huo umefanywa kwenye Kamati ya Bunge Zima, Mwenyekiti ataondoka kwenye Kiti mara moja na kuripoti suala hilo kwa Bunge la Taifa; na Spika, kufuatia Hoja iliyotolewa, atatoa Hoja ili iamuliwe mara moja bila marekebisho, ahirisho au mjadala, kama kwamba kosa hilo lilifanyika wakati Bunge la Taifa likiendelea.

Mbunge aliyesimamishwa kuhudhuria vikao vya Bunge kwa muda ataondoka katika maeneo ya Bunge

109. Mbunge anapotajwa kwa jina mujibu wa Kanuni ya 108 (*Mbunge anaweza kusimamishwa kwa muda baada ya kutajwa jina*), Spika atamwamuru Mbunge huyo kutoka katika Ukumbi na katika maeneo ya Bunge.

Duration of suspension of a Member

110. If any Member is suspended under Standing Order 108 (*Member may be suspended after being named*) the suspension on the first occasion shall be for four days including the day of suspension; on the second occasion during the same Session for eight days, including the day of suspension; and on the third or any subsequent occasion during the same Session for twenty-eight days, including the day of suspension.

Effect of suspension

110A. (1) A Member who is ordered to withdraw from the precincts of Assembly under Standing Order 108 (*Member may be suspended after being named*) and Standing Order 111 (*Action to be taken on refusal to withdraw*) shall during the period of such withdrawal or suspension forfeit—

- (a) the right of access to the precincts of the Assembly; and
- (b) his or her salary and all allowances payable during the period.

(2) Suspension from the service of the House shall not exempt the Member so suspended from appearing before a Committee of the House for the consideration of a Bill sponsored by the Member.

Appeal against suspension

110B. (1) Except as provided in this Standing Order, the suspension of a Member or the application of this Standing Order shall not be subject to debate.

(2) A Member suspended from the House under this Part may appeal in writing to the Committee of Privileges within three days of the suspension.

(3) Despite paragraph (2), the Committee may, with leave of the House, admit an appeal received after three days.

Muda wa Mbunge kusimamishwa kwa muda

110. Iwapo Mbunge atasimamishwa kwa muda kwa mujibu wa Kanuni ya 108 (*Mbunge anaweza kusimamishwa kwa muda baada ya kutajwa jina*), ikiwa ni mara ya kwanza kusimamishwa, atasimamishwa kwa siku nne ikijumuisha siku ya kusimamishwa; ikiwa ni mara ya pili katika Kipindi hicho, atasimamishwa kwa siku nane ikijumuisha siku ya tatu au zaidi katika Kipindi hicho, atasimamishwa kwa siku ishirini na nane ikijumuisha siku ya kusimamishwa.

Athari za kusimamishwa kwa muda

110A. (1) Mbunge anayeamriwa kuondoka katika maeneo ya Bunge kwa mujibu wa Kanuni ya 108 (*Mbunge anaweza kusimamishwa kwa muda baada ya kutajwa jina*) na Kanuni ya 111 (*Hatua itakayochukuliwa kwa kukaidi amri ya kuondoka*) katika kipindi ambacho atakuwa amesimamishwa kwa muda atapoteza—

- (a) haki ya kuingia katika maeneo ya Bunge; na
- (b) mshahara na marupurupu yote ambayo angelipwa katika kipindi hicho.

(2) Mbunge aliyesimamishwa kwa muda hatazuiwa kuhudhuria kikao cha Kamati kinachoshughulikia Mswada anaoudhamini.

Rufaa dhidi ya kusimamishwa kwa muda

110B. (1) Isipokuwa kama ilivyoelekezwa katika Kanuni hii, hakutakuwa na mjadala kuhusu kusimamishwa kwa Mbunge kwa muda au pale ambapo Kanuni hii itatumika.

(2) Mbunge aliyesimamishwa kwa muda kwa mujibu wa Sehemu hii, anaweza kukata rufaa kwa maandishi kwa Kamati ya Haki za Bunge katika muda usiozidi siku tatu baada ya kusimamishwa kwa muda.

(3) Licha ya aya ya (2), Kamati hiyo kwa idhini ya Bunge la Taifa, inaweza kukubali rufaa iliyopokelewa baada ya siku tatu kupita.

(4) Upon receipt of the Member's appeal, the Committee shall within seven days —

(a) notify the Member, in writing, of the day appointed for the hearing of the appeal;

(b) notify the Speaker, who shall thereafter admit the Member to the precincts of Parliament on the day(s) appointed for the hearing of the appeal; and

(c) consider the appeal and after according the Member the right to be heard, submit a report to the House —

(i) upholding the suspension; or

(ii) reducing the period of suspension; or

(iii) readmitting the Member to the House.

(5) The decision of the Committee regarding the suspension shall be final.

(6) The Member who presided in the House or Committee of the whole House during suspension of an appealing Member shall not participate in the proceedings of the Committee during the appeal, except to give evidence when so required.

(7) A Member designated by the Committee shall inform the House of the decision of the Committee regarding the suspension and the Speaker shall thereupon effect the decision.

(8) The House may, in exceptional circumstances permitted by the Speaker, debate the report of the Committee without amendment or resolution

(4) Baada ya kupokea rufaa ya Mbunge, Kamati, katika muda usiozidi siku saba —

(a) itamuarifu Mbunge kwa maandishi kuhusu siku iliyotengwa ili kusikiliza rufaa hiyo;

(b) itamuarifu Spika, ambaye atamruhusu Mbunge huyo kuingia maeneo ya Bunge siku iliyotengwa ili kusikiliza rufaa; na

(c) itashughulikia rufaa na baada ya kumpa Mbunge huyo haki ya kusikilizwa, itawasilisha ripoti katika Bunge la Taifa—

(i) ikikubaliana na adhabu ya kusimamishwa kwa muda; au

(ii) kupunguza muda wa kusimamishwa; au

(iii) kumruhusu Mbunge huyo kurudi katika bungeni.

(5) Uamuzi wa Kamati hiyo kuhusu kusimamishwa kwa muda utakuwa wa mwisho.

(6) Mbunge aliyeongoza kikao cha Bunge la Taifa au Kamati ya Bunge Zima wakati wa kumsimamisha kwa muda Mbunge aliyekata rufaa hatashiriki katika vikao vya Kamati inaposhughulikia rufaa hiyo, isipokuwa kama atahitajika kutoa ushahidi.

(7) Mbunge aliyeteuliwa na Kamati atalijulisha Bunge la Taifa uamuzi wa Kamati kuhusu usimamishwaji huo na Spika atatekeleza uamuzi huo mara moja.

(8) Katika hali za kipekee zitakazoruhusiwa na Spika, Bunge la Taifa linaweza kujadili ripoti ya Kamati hiyo bila rekebisho au uamuzi wowote kufanywa.

Action to be taken on refusal to withdraw

111. If any Member shall refuse to withdraw when required to do so, by or under these Standing Orders, the Speaker or the Chairperson of Committee as the case may be, having called the attention of the House or Committee to the fact that recourse to force is necessary in order to compel such Member to withdraw, shall order such Member to be removed and such Member shall thereupon without question put be suspended from the service of the House for a minimum of twenty-one days and a maximum of ninety days and shall during such suspension, forfeit the right of access to the precincts of Parliament and the Serjeant-at-Arms shall take necessary action to enforce the order.

Grave disorder in the Assembly

112. (1) In the event of grave disorder arising in the House, the Speaker may, adjourn the House forthwith or suspend any sitting for a period to be determined by him or her.

(2) In the event of grave disorder arising in the Committee of the whole House, the Speaker shall resume the Chair forthwith.

Definition of a day

112A. For the purposes of this Part, a "day" means a calendar day.

PART XIX

PUBLIC BILLS

Application and limitation

113. The provisions of this Part shall apply in respect of all public Bills.

Introduction of Bills

114. (1) A legislative proposal for which a Member or a Committee is in charge shall, together with a memorandum setting out its objectives and matters specified in Standing Order 117 (*Memorandum of Objects and Reasons*), be submitted to the Speaker.

Hatua itakayochukuliwa kwa kukaidi amri ya kuondoka

111. Iwapo Mbunge yeyote atakataa kuondoka kama alivyoamriwa kwa mujibu wa Kanuni hizi, Spika au Mwenyekiti wa Kamati, baada ya kulifahamisha Bunge la Taifa au Kamati kwamba kuna haja ya nguvu kutumika kumwondoa Mbunge huyo, ataamuru Mbunge aondolewe na Mbunge husika atasimamishwa kuhudhuria vikao vya Bunge la Taifa kwa muda usiopungua siku ishirini na moja na usiozidi siku tisini bila ya kulihoji Bunge la Taifa na katika kipindi hicho, Mbunge huyo atapoteza haki ya kuingia katika maeneo ya Bunge na Mpambe wa Bunge la Taifa atachukua hatua itakayohitajika kutekeleza amri hiyo.

Utovu wa nidhamu uliokithiri katika Bunge la Taifa

112. (1) Iwapo patatokea utovu wa nidhamu uliokithiri katika Bunge, Spika anaweza kuahirisha kikao cha Bunge la Taifa mara moja au kusimamisha kikao chochote kwa muda atakaoamua.

(2) Iwapo patatokea utovu wa nidhamu uliokithiri katika Kamati ya Bunge Zima, Spika atarejea kwenye Kiti mara moja.

Fasili ya siku

112A. Kwa mujibu wa Sehemu hii, "siku" ina maana ya siku ya kalenda.

SEHEMU YA XIX

MISWADA YA UMMA

Matumizi na udhibiti

113. Sehemu hii itatumika kwa miswada yote ya umma.

Uwasilishaji wa Miswada

114. (1) Pendekezo la mswada la Mbunge au la Kamati litawasilishwa kwa Spika likiwa na maelezo ya madhumuni na masuala yaliyotajwa katika Kanuni ya 117 (*Maelezo ya Madhumuni na Sababu*).

(2) The Speaker shall refer the legislative proposal and the memorandum to the Clerk who shall consider the legislative proposal, draft it in proper form where necessary and submit it to the Speaker with comments on—

- (a) whether the legislative proposal affects or does not affect counties and if it does, whether it is a special or ordinary Bill;
- (b) whether the legislative proposal is a draft money Bill in terms of Article 114 of the Constitution; and
- (c) whether the legislative proposal conforms to the Constitution and the law and is in order as to format and style in accordance with the Standing Orders.

(3) Upon receipt of the legislative proposal from the Clerk under paragraph (2), the Speaker shall—

- (a) where the Speaker is of the opinion that a legislative proposal is not a draft money Bill in terms of Article 114 of the Constitution—
 - (i) direct that the proposal be referred to the relevant Departmental Committee for prepublication scrutiny in case of a legislative proposal not sponsored by a Committee;
 - (ii) direct that the proposal be published into a bill, in the case of a legislative proposal sponsored by a Committee.
- (b) where the Speaker is of the opinion that a legislative proposal is a draft money Bill in terms of Article 114 of the Constitution, direct that the legislative proposal be referred to the Budget and Appropriations Committee and the proposal shall be proceeded with only in accordance with the recommendations of the Budget and Appropriations Committee after taking into account the views of the Cabinet Secretary responsible for finance.

(2) Spika atamkabidhi Katibu pendekezo la mswada pamoja na maelezo ya madhumuni na sababu, na Katibu atashughulikia pendekezo hilo na kuliandika katika muundo unaofaa kisha ataliwasilisha kwa Spika likiwa na maoni kuhusu—

- (a) ikiwa pendekezo hilo la mswada linaathiri au haliathiri kaunti, na kama linaathiri kaunti, kueleza iwapo ni Mswada maalum au wa kawaida;
- (b) ikiwa pendekezo hilo la mswada linahusu masuala ya fedha kwa mujibu wa Ibara ya 114 ya Katiba; na
- (c) ikiwa pendekezo la mswada halikiuki masharti ya Katiba na sheria na liko sawa katika muundo na mtindo kuambatana na Kanuni hizi.

(3) Baada ya kupokea pendekezo la mswada kutoka kwa Katibu kwa mujibu wa aya ya (2), Spika—

- (a) akiwa na maoni kuwa pendekezo la mswada halihusu masuala ya fedha kwa mujibu wa Ibara ya 114 ya Katiba—
 - (i) ataelekeza pendekezo likabidhiwe kamati husika ya kiidara ili lichanganuliwe kabla ya kuchapishwa iwapo pendekezo la mswada halijadhaminiwa na Kamati;
 - (ii) ataelekeza pendekezo hilo lichapishwe kuwa mswada, iwapo limedhaminiwa na Kamati.
- (b) akiwa na maoni kwamba pendekezo la mswada linahusu masuala ya fedha kwa mujibu wa Ibara ya 114 ya Katiba, ataelekeza pendekezo hilo likabidhiwe Kamati ya Bajeti na Uidhinishaji wa Matumizi na pendekezo hilo litashughulikiwa tu kulingana na mapendekezo ya Kamati ya Bajeti na Uidhinishaji wa Matumizi baada ya kuzingatia maoni ya Waziri anayehusika na masuala ya fedha.

(4) The Budget and Appropriations Committee shall consider only the money-bill or financial aspects of the proposal and submit a report to the Speaker within twenty-one (21) days of receipt of the proposal.

(5) A report under paragraph (4) shall contain—

- (a) the views of the Cabinet Secretary responsible for finance, if any;
- (b) a detailed examination of the manner in which the legislative proposal affects the current and future budgets and may include implications on tax measures;
- (c) a recommendation on whether or not the proposal should be proceeded with;
- (d) any other appropriate recommendation relating to money-bill aspects of the proposal.

(6) Upon receipt of the recommendations of the Budget and Appropriations Committee, the Speaker may direct that—

- (a) the proposal be subjected to prepublication scrutiny before the relevant Departmental Committee in case of a legislative proposal not sponsored by a Committee; or
- (b) the proposal be published into a bill, in the case of a legislative proposal sponsored by a committee; or
- (c) the legislative proposal not be proceeded with.

(7) The Departmental Committee to which a legislative proposal is referred for prepublication scrutiny under paragraphs (3)(a)(i) and (6)(a) shall consider the proposal and submit a report to the Speaker within twenty-one (21) days recommending whether or not the proposal should be proceeded with.

(4) Kamati ya Bajeti na Uidhinishaji wa Matumizi itashughulikia tu masuala ya fedha au vipengele vyenye masuala ya kifedha vilivyomo kwenye pendekezo na kutoa ripoti kwa Spika katika muda usiozidi siku ishirini na moja baada ya kupokelewa kwa pendekezo la mswada.

(5) Ripoti itakayotolewa kwa mujibu wa aya ya (4) itakuwa na—

- (a) maoni ya Waziri anayehusika na masuala ya fedha, ikiwa yapo;
- (b) uchunguzi wa kina wa namna pendekezo hilo linavyoathiri bajeti iliyopo na bajeti za baadaye na inaweza kujumuisha maelezo ya athari kwa mikakati ya utozaji kodi;
- (c) maoni iwapo pendekezo la mswada lishughulikiwe au lisishughulikiwe;
- (d) maoni mengine yoyote mwafaka yanayohusiana na vipengele vya masuala ya fedha vilivyomo kwenye pendekezo.

(6) Baada ya kupokea maoni ya Kamati ya Bajeti na Uidhinishaji wa Matumizi, Spika anaweza kuelekeza kwamba—

- (a) pendekezo la mswada lifanyiwe uchanganuzi kabla ya kuchapishwa na kamati husika ya kiidara ikiwa pendekezo hilo halijadhaminiwa na Kamati; au
- (b) pendekezo hilo lichapishwe ili kuwa mswada, ikiwa pendekezo hilo limedhaminiwa na Kamati; au
- (c) pendekezo hilo la mswada lisishughulikiwe.

(7) Kamati ya Kiidara ambayo imekabidhiwa pendekezo la mswada ili kulichanganua kabla ya kuchapishwa kwa mujibu wa aya ya (3)(a)(i) na (6)(a) itashughulikia pendekezo hilo la mswada na kutoa ripoti kwa Spika katika muda usiozidi siku ishirini na moja ikitoa maoni iwapo pendekezo hilo lichapishwe au la.

(8) Following the recommendations of the relevant Departmental Committee, the Speaker shall direct either that the legislative proposal be published into a bill or not be proceeded with.

Speaker to exempt certain legislative proposals

114A. (1) The Speaker may exempt a legislative proposal which originates from the Party forming the National Government from the provisions of Standing Order 114 (*Introduction of Bills*).

(2) An exemption under paragraph (1) may not be granted unless it is accompanied by a copy of the relevant Cabinet approval.

(3) The Party forming the National Government may indicate the Member under whose name the legislative proposal is proposed to be published.

(4) Upon grant of the exemption, the Speaker shall direct that the legislative proposal be published into a Bill.

Printing of amending provisions

115. Where a Bill seeks to amend any provision of an existing Act, the text of the relevant part of such provision shall be printed and supplied as part of the Bill which is availed to Members, unless in the opinion of the Speaker, the amendment is formal, minor or self explanatory.

Enacting formula

116. Every Bill shall contain, as the enacting formula, the words "Enacted by the Parliament of Kenya."

Memorandum of Objects and Reasons

117. Every Bill shall be accompanied by a memorandum containing:

- (a) a statement of the objects and reasons of the Bill;
- (b) a statement of delegation of legislative powers and limitation of fundamental rights and freedom, if any;
- (c) an indication whether it concerns county governments; and
- (d) a statement of its financial implication and if the expenditure of public moneys will be involved should the Bill be enacted, an estimate, where possible, of such expenditure.

(8) Kufuatia maoni ya Kamati ya Kiidara inayohusika, Spika ataelekeza pendekezo la mswada lichapishwe au lisichapishwe kuwa mswada.

Spika kuruhusu baadhi ya mapendekezo ya mswada

114A. (1) Spika anaweza kuruhusu pendekezo la mswada kutoka kwa Chama kinachounda Serikali ya Taifa lisifuata masharti ya Kanuni ya 114 (*Uwasilishwaji wa Mswada*).

(2) Ruhusa kwa mujibu wa aya ya (1) haitatolewa isipokuwa kama pendekezo la mswada limeambatisha nakala ya idhini ya Baraza la Mawaziri.

(3) Chama kinachounda Serikali ya Taifa kitataja jina la Mbunge atakayewasilisha pendekezo la mswada ili lichapishwe.

(4) Baada ya ruhusa kutolewa, Spika ataamuru pendekezo hilo la mswada lichapishwe kuwa mswada.

Kupiga chapa vifungu vinavyorekebisha sheria

115. Mswada unapokusudia kurekebisha kifungu chochote cha Sheria iliyopo, sehemu inayohusika itapigwa chapa na kusambazwa kwa Wabunge kama sehemu ya mswada huo, isipokuwa kama kwa maoni ya Spika, rekebisho hilo ni dogo au linaeleweka kwa urahisi.

Kauli tekelezi

116. Kila Mswada utakuwa na kauli tekelezi kwamba "Umepitishwa na Bunge la Kenya."

Maelezo ya Madhumuni na Sababu

117. Kila Mswada utaambatisha maelezo yatakayoonyesha:

- (a) kauli ya madhumuni na sababu za Mswada;
- (b) kauli ya kukasimisha mamlaka ya kutunga sheria na udhibiti wa haki na uhuru wa kimsingi, ikiwa upo;
- (c) ikiwa mswada unahusu serikali za kaunti; na
- (d) kauli ya athari za kifedha na iwapo fedha za umma zitatumika ikiwa Mswada huo utapitishwa na ikiwezekana, kutaja makadirio ya matumizi hayo.

Provisions on delegated powers

118. Every Bill that confers on any State organ, State officer or person the authority to make provision having the force of law in Kenya in terms of Article 94(6) of the Constitution shall contain a separate and distinct part of the Bill under the title “Provisions on Delegated Powers” in which shall be expressly specified—

- (a) the purpose and objectives for which that authority is conferred;
- (b) the limits of the authority;
- (c) the nature and scope of the law which may be made; and
- (d) the principles and standards applicable to the law made under the authority.

Limitation of fundamental rights and freedom

119. Every Bill that contains a provision limiting a right or fundamental freedom in terms of Article 24(2) of the Constitution shall contain separate and distinct provisions—

- (a) clearly expressing the specific right or fundamental freedom to be limited; and
- (b) the nature and extent of that limitation.

Publication

120. No Bill shall be introduced unless such Bill together with the memorandum referred to in Standing Order 117 (*Memorandum of Objects and Reasons*), has been published in the Gazette (as a Bill to be originated in the Assembly), and unless, in the case of a Consolidated Fund Bill, an Appropriation Bill or a Supplementary Appropriation Bill, a period of seven days, and in the case of any other Bill a period of fourteen days, beginning in each case from the day of such publication, or such shorter period as the House may resolve with respect to the Bill, has ended.

Bills concerning county governments

121. (1) A Bill concerning county governments is—

Vifungu kuhusu ukasimishaji wa mamlaka

118. Kila Mswada ambao unakabidhi mamlaka kwa chombo chochote cha serikali, ofisa wa serikali au mtu yeyote, mamlaka ya kutunga masharti yenye nguvu ya kisheria nchini Kenya kwa mujibu wa Ibara ya 94(6) ya Katiba utakuwa na sehemu maalum katika mswada yenye kichwa “Vifungu kuhusu ukasimishaji wa mamlaka” ambayo itataja—

- (a) madhumuni na malengo ya kukasimisha mamlaka hayo;
- (b) mipaka ya mamlaka;
- (c) aina na upeo wa sheria itakayotungwa; na
- (d) misingi na viwango vitakavyotumika kwa sheria itakayotungwa na mamlaka inayohusika.

Udhibiti wa haki na uhuru wa kimsingi

119. Kila mswada ulio na kifungu kinachodhibiti haki au uhuru wa kimsingi kwa mujibu wa Ibara ya 24(2) ya Katiba utakuwa na vifungu tofauti na mahususi—

- (a) vinavyoelezea haki na uhuru wa msingi unaodhibitiwa; na
- (b) vinavyoonyesha aina na upeo wa mipaka hiyo.

Uchapishaji wa miswada

120. Hakuna Mswada utakaowasilishwa katika Bunge la Taifa isipokuwa kama Mswada huo umeambatisha maelezo ya Madhumuni na Sababu yaliyotajwa katika Kanuni ya 117 (*Maelezo ya Madhumuni na Sababu*), umetangazwa katika Gazeti Rasmi la Serikali (kama Mswada utakaoanzishwa katika Bunge la Taifa) siku saba kabla ya kuwasilishwa katika Bunge la Taifa ikiwa ni Mswada wa Hazina Kuu, Mswada wa Kuidhinisha Matumizi ya Fedha au Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha au, siku kumi na nne kabla ya kuwasilishwa katika Bunge la Taifa ikiwa ni mswada mwingine wowote au katika muda mfupi zaidi baada ya kutangazwa kadri itakavyoamuliwa na Bunge la Taifa kuhusiana na Mswada wenyewe.

Miswada inayohusu serikali za kaunti

121. (1) Mswada unaohusu serikali za kaunti ni—

(a) a special Bill, which shall be considered under Article 111 of the Constitution if it—

(i) relates to the election of members of a county assembly or a county executive; or

(ii) is the annual County Allocation of Revenue Bill referred to in Article 218 of the Constitution; or

(b) an ordinary Bill, which shall be considered as provided under Article 112 of the Constitution, in any other case.

(2) Whenever any question arises as to whether a Bill is a Bill concerning county governments, the Speaker shall determine whether the Bill is a Bill concerning county governments and, if it is, whether it is a special or an ordinary Bill.

(3) Pursuant to Article 110(3) of the Constitution, the Speaker and the Speaker of the Senate may agree on an appropriate framework for jointly resolving the question under paragraph (2).

Procedure upon Publication

122. (1) Upon publication of a Bill in the *Gazette*, the Clerk shall obtain sufficient copies of the Bill and avail a copy of the Bill to every Member.

(2) A Bill shall be signed by the Member in charge of it and shall be introduced by way of First Reading in accordance with Standing Order 126 (*First Reading*).

(3) A Bill for whom a Committee is in charge shall be introduced by the Chairperson of the Committee or a Member of the Committee designated by the committee for that purpose.

123. (*Deleted*)

(a) mswada maalum ambao utashughulikiwa kwa mujibu wa Ibara ya 111 ya Katiba iwapo—

(i) unahusiana na uchaguzi wa wawakilishi katika bunge la kaunti au gavana na naibu wake; au

(ii) ni Mswada wa kila mwaka wa Kutenga Mapato kwa Kaunti unaotajwa katika Ibara ya 218 ya Katiba; au

(b) mswada wa kawaida ambao utashughulikiwa kwa mujibu wa Ibara ya 112 ya Katiba au kwa utaratibu mwingine wowote.

(2) Pale ambapo itahitajika kuamua iwapo Mswada unahusu serikali za kaunti au la, Spika ataamua iwapo Mswada huo unahusu serikali za kaunti, na ikiwa unahusu serikali za kaunti, ataamua kama ni Mswada maalum au wa kawaida.

(3) Kwa mujibu wa Ibara ya 110(3) ya Katiba, Spika wa Bunge la Taifa na Spika wa Seneti wanaweza kwa pamoja kukubaliana kuhusu mfumo utakaotumika kuamua suala litakalojitokeza kwa mujibu wa aya ya (2).

Utaratibu baada ya Mswada Kuchapishwa

122. (1) Baada ya Mswada kuchapishwa katika *Gazeti Rasmi la Serikali*, Katibu atahakikisha kuna nakala za kutosha za Mswada huo na kwamba kila Mbunge amepata nakala.

(2) Mswada utatiwa sahihi na Mbunge anayeudhamini na utawasilishwa katika Bunge la Taifa ili Kusomwa Mara ya Kwanza kwa mujibu wa Kanuni ya 126 (*Kusomwa Mara ya Kwanza*).

(3) Mswada unaodhaminiwa na Kamati utawasilishwa na Mwenyekiti wa Kamati au mjumbe aliyeteuliwa na Kamati kwa ajili hiyo.

123. (*Imefutwa*)

Not more than one stage of a Bill to be taken at the same sitting

124. (1) Except with the leave of the House, not more than one stage of a Bill may be taken at any one sitting.

(2) Paragraph (1) shall not apply to or in respect of—

(a) an Appropriation Bill, a Consolidated Fund Bill, a County Allocation of Revenue Bill, a Division of Revenue Bill and an Equalization Fund Bill; or

(b) a Bill to amend the Constitution in respect of its Second and Third Reading.

Reading of Bills

125. A Bill is read by the reading by the Clerk to the assembled House of the title of the Bill.

First Reading

126. Every Bill shall be read a First Time without Motion made or question put.

Committal of Bills to Committees and public participation

127. (1) A Bill having been read a First Time shall stand committed to the relevant Departmental Committee without question put.

(2) Notwithstanding paragraph (1), the Assembly may resolve to commit a Bill to a select committee established for that purpose.

(3) The Departmental Committee to which a Bill is committed shall facilitate public participation on the Bill through an appropriate mechanism, including—

(a) inviting submission of memoranda;

(b) holding public hearings;

(c) consulting relevant stakeholders in a sector; and

(d) consulting experts on technical subjects.

Mswada hautashughulikiwa kwa hatua zaidi ya moja katika kikao kimoja

124. (1) Mswada hautashughulikiwa kwa hatua zaidi ya moja katika kikao kimoja isipokuwa kwa idhini ya Bunge la Taifa.

(2) Aya ya (1) haitatumika kwa au kuhusiana na—

(a) Mswada wa Kuidhinisha Matumizi ya Fedha, Mswada wa Hazina Kuu, Mswada wa Kutenga Mapato kwa Kaunti, Mswada wa Kugawa Mapato na Mswada wa Hazina ya Usawazishaji; au

(b) Mswada wa kurekebisha Katiba unaposomwa Mara ya Pili na ya Tatu.

Kusomwa kwa Mswada

125. Mswada utachukuliwa kuwa umesomwa pindi Katibu atakaposoma jina la Mswada katika Bunge la Taifa.

Kusomwa Mara ya Kwanza

126. Kila Mswada utasomwa Mara ya Kwanza bila kuhitaji Hoja kutolewa au Hoja kutolewa iamuliwe.

Kamati kukabidhiwa Mswada na ushirikishwaji wa umma

127. (1) Mswada ukishasomwa Mara ya Kwanza, utakabidhiwa Kamati husika ya kiidara bila Hoja kutolewa iamuliwe.

(2) Bila kuzingatia aya ya (1), Bunge la Taifa linaweza kuamua kukabidhi Mswada kwa kamati iliyoungwa kwa ajili hiyo.

(3) Kamati ya Kiidara ambayo imekabidhiwa Mswada itashirikisha umma katika Mswada huo kwa utaratibu mwafaka, ikijumuisha—

(a) kualika uwasilishwaji wa maoni;

(b) kufanya vikao vya kusikiliza maoni ya umma;

(c) kuwashirikisha wadau wa sekta inayohusika; na

(d) kuwashirikisha wataalamu katika masuala ya kitaaluma.

(3A) The Departmental Committee shall take into account the views and recommendations of the public under paragraph (3) in its report to the House.

(4) Subject to Standing Order 129 (*Second Reading of a Bill to amend the Constitution*) the Chairperson of the Departmental Committee to which a Bill is committed or a Member designated for that purpose by the Committee shall present the Committee's report to the House to inform debate within twenty-one calendar days of such committal and upon such presentation, or if the Committee's report is not presented when it becomes due, the Bill shall be ordered to be read a Second Time on such day as the House Business Committee shall, in consultation with the Member or the Committee in charge of the Bill, appoint.

(5) If for any reason, at the commencement of the Second Reading the report of the Committee has not been presented, the Committee concerned shall report progress to the House and the failure to present the report shall be noted by the Liaison Committee for necessary action.

(6) Despite paragraph (1)—

- (a) the Speaker may direct that a particular Bill be committed to such committee as the Speaker may determine.
- (b) a Consolidated Fund Bill, an Appropriation Bill, a Supplementary Appropriation Bill or a Finance Bill shall be committed to the Budget and Appropriations Committee.

Second Reading

128. (1) On the Order of the Day being read for the Second Reading of a Bill, a Motion shall be made, "That, theBill be now read a Second Time."

(2) No amendment may be moved to the question "That, theBill be now read a Second Time", other than an amendment to leave out the word "now" and to add, at the end of the question, the words "upon this day..... (state the period)."

(3A) Kamati ya Kiidara itazingatia mitazamo na maoni ya umma kwa mujibu wa aya ya (3) katika ripoti yake kwa Bunge la Taifa.

(4) Kwa kuzingatia Kanuni ya 129 (*Kusomwa Mara ya Pili kwa Mswada wa kurekebisha Katiba*) Mwenyekiti wa Kamati ya Kiidara ambayo imekabidhiwa Mswada au mjumbe wa Kamati aliyeteuliwa kwa ajili hiyo atawasilisha ripoti ya Kamati katika Bunge la Taifa kwa muda usiozidi siku ishirini na moja za kalenda baada ya kukabidhiwa Mswada ili kuwezesha mjadala, au iwapo ripoti ya Kamati haitawasilishwa ndani ya muda huo, itaamriwa kwamba Mswada usomwe Mara ya Pili katika siku ambayo Kamati ya Kuratibu Shughuli za Bunge la Taifa itateua kwa kushauriana na mdhamini wa Mswada au Kamati husika.

(5) Iwapo kwa sababu yoyote ile ripoti ya Kamati haitakuwa imewasilishwa mwanzoni mwa Mswada Kusomwa Mara ya Pili, Kamati husika itaripoti katika Bunge la Taifa kuhusu hatua iliyofikia katika kushughulikia Mswada na kushindwa kuwasilisha ripoti hiyo kutazingatiwa na Kamati ya Mahusiano ya Kamati kwa ajili ya kuchukua hatua mwafaka.

6) Licha ya aya ya (1)—

- (a) Spika anaweza kuelekeza kwamba Mswada fulani ukabidhiwe kamati ambayo ataamua.
- (b) Mswada wa Hazina Kuu, Mswada wa Kuidhinisha Matumizi ya Fedha, Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha au Mswada wa Fedha utakabidhiwa Kamati ya Bajeti na Uidhinishaji wa Matumizi.

Kusomwa Mara ya Pili

128. (1) Shughuli ya Siku itakaposomwa kwamba Mswada usomwe Mara ya Pili, Hoja itatolewa, "Kwamba, Mswada ... sasa usomwe Mara ya Pili."

(2) Hakuna rekebisho litatolewa kwa Hoja "Kwamba, Mswada ... sasa usomwe Mara ya Pili", isipokuwa kama ni rekebisho la kuondoa neno "sasa" na kuongeza maneno "baada ya....(taja muda)" mwishoni mwa Hoja.

Second Reading of a Bill to amend the Constitution

129. A Bill to amend the Constitution shall not be called for the Second Reading in the National Assembly within ninety days after the First Reading of the Bill in the National Assembly.

Committal of Bills to Committee of the whole House

130. (1) A Bill having been read a Second Time shall stand committed to a Committee of the whole House.

(2) On the Order of the Day for Committee on a Bill being read, the Speaker shall leave the Chair without question put.

Referral of proposed amendments to Committees

131. Where after a Bill has been Read a Second Time and before commencement of Committee of the Whole, amendments have been proposed to it, which in the opinion of the Speaker require harmonization, the Speaker may direct any Member proposing an amendment to the Bill to appear before the relevant Departmental Committee dealing with the subject matter of the Bill to present his or her proposed amendments and the Committee shall submit a report to the House on the result of the exercise before the Committee of the Whole House is taken.

Sequence to be observed on a Bill in Committee

132. In considering a Bill in Committee, the various parts thereof shall be considered in the following sequence –

- (a) clauses as printed, excluding the clauses providing for the citation of the Bill, the commencement, if any, and the interpretation;
- (b) new clauses;
- (c) schedules;
- (d) new schedules;
- (e) interpretation;
- (f) preamble, if any;

Kusomwa Mara ya Pili kwa Mswada wa kurekebisha Katiba

129. Mswada wa kurekebisha Katiba hautawasilishwa ili usomwe Mara ya Pili katika Bunge la Taifa katika muda usiozidi siku tisini baada ya Mswada huo kusomwa Mara ya Kwanza katika Bunge la Taifa.

Kukabidhi Mswada kwa Kamati ya Bunge Zima

130. (1) Mswada utakuwa umekabidhiwa kwa Kamati ya Bunge Zima ukishasomwa Mara ya Pili.

(2) Pindi shughuli ya siku inaposomwa kwamba Bunge la Taifa liingie katika Kamati ya Bunge Zima kushughulikia Mswada, Spika ataondoka kwenye Kiti bila kulihoji Bunge la Taifa.

Mapendekezo ya marekebisho kukabidhiwa Kamati

131. Baada ya Mswada kusomwa Mara ya Pili na marekebisho kupendekezwa, marekebisho ambayo kwa maoni ya Spika yanahitaji kuoanishwa kabla ya hatua ya Kamati ya Bunge Zima kuanza, Spika anaweza kumwelekeza Mbunge yeyote anayependekeza marekebisho kwa Mswada huo kuhudhuria kikao cha Kamati husika ya kiidara inayoshughulikia Mswada huo ili awasilishe mapendekezo ya marekebisho yake na Kamati itatoa ripoti kwa Bunge la Taifa kuhusu matokeo ya shughuli hiyo kabla ya hatua ya Kamati ya Bunge Zima.

Mtiririko utakaozingatiwa Mswada ukiwa kwenye Kamati

132. Katika kushughulikia Mswada kwenye Kamati, sehemu tofauti za Mswada zitashughulikiwa kwa mtiririko ufuatao—

- (a) vifungu kama vilivyopigwa chapa, bila ya kujumuisha vifungu vinavyotaja anwani fupi ya Mswada, mwanzo wa kutumika, iwapo vipo, na ufafanuzi;
- (b) vifungu vipya;
- (c) nyongeza;
- (d) nyongeza mpya;
- (e) ufafanuzi;
- (f) dibaji, ikiwa ipo;

- (g) long title;
- (h) the clauses providing for the citation of the Bill and the commencement.

Procedure in Committee of the whole House on a Bill

133. (1) The Clerk shall call severally each part of the Bill in the sequence specified in Standing Order 132 (*Sequence to be observed on a Bill in Committee*) and if no amendment is proposed or when all proposed amendments have been disposed of, the Chairperson shall propose the question "That, (as amended) stand part of the Bill" and, when Members who wish to speak have spoken, the Chairperson shall put that question to the Committee for decision.

(1A) Debate to a proposed amendment shall be confined to the content of the amendment.

(2) No amendment shall be moved to any part of a Bill by any Member, other than the Member in charge of the Bill, unless written notification of the amendment shall have been given to the Clerk twenty-four hours before the commencement of the sitting at which that part of the Bill is to be considered in Committee.

(3) Despite paragraph (2), where an amendment has been moved to any part of a Bill in accordance with this paragraph, any Member may move an amendment to that amendment on delivering to the Chairperson the terms of his or her amendment in writing.

(4) A Member moving an amendment or a further amendment to any part of the Bill under paragraphs (2) and (3) shall explain the meaning, purpose and effect of the proposed amendment or further amendment.

(5) No amendment shall be permitted to be moved if the amendment deals with a different subject or proposes to unreasonably or unduly expand the subject of the Bill, or is not appropriate or is not in logical sequence to the subject matter of the Bill.

- (g) anwani ndefu;
- (h) vifungu vinavyotaja anwani fupi ya Mswada na mwanzo wa kutumika.

Utaratibu wa kushughulikia Mswada katika Kamati ya Bunge Zima

133. (1) Katibu atasoma kila sehemu ya Mswada kufuata mtiririko ulioelezwa katika Kanuni ya 132 (*Mtiririko utakaozingatiwa Mswada ukiwa kwenye Kamati*) na ikiwa hakuna marekebisho yanayopendekezwa au iwapo mapendekezo yote ya marekebisho yatakuwa yameamuliwa, Mwenyekiti atapendekeza Hoja "Kwamba, ... (kama ilivyorekebishwa) yajumuishwe kwenye Mswada" na, baada ya Wabunge wanaokusudia kuchangia kutoa michango yao, Mwenyekiti atatoa Hoja kwa Kamati ili iamuliwe.

(1A) Mjadala kuhusu pendekezo la rekebisho utajikita katika maudhui ya rekebisho.

(2) Hakuna rekebisho lolote litakalotolewa katika sehemu yoyote ya Mswada na Mbunge yeyote isipokuwa Mdhambi wa Mswada, ila tu kama arifa ya rekebisho itakuwa imewasilishwa kwa Katibu kimaandishi saa ishirini na nne kabla ya kuanza kwa kikao ambacho sehemu hiyo ya Mswada imepangwa kushughulikiwa na Kamati ya Bunge Zima.

(3) Licha ya aya ya (2), endapo rekebisho limetolewa katika sehemu yoyote ya Mswada kulingana na aya hii, Mbunge yeyote anaweza kutoa hoja ya rekebisho kwa rekebisho hilo baada ya kumkabidhi Mwenyekiti rekebisho lake kimaandishi.

(4) Mbunge anayetoa hoja ya rekebisho au rekebisho la ziada katika sehemu yoyote ya Mswada kwa mujibu wa aya ya (2) na (3) atafafanua maana, kusudi na athari za rekebisho au rekebisho la ziada linalopendekezwa.

(5) Hakuna rekebisho litakaloruhusiwa kutolewa ikiwa rekebisho hilo linahusu mada tofauti au linapendekeza kupanua maudhui ya Mswada bila sababu au isivyostahili, au halifai au haliko katika mtiririko unaolingana na maudhui ya Mswada.

6) No amendment shall be moved which is inconsistent with any part of the Bill already agreed to or any decision already made by the Committee, and the Chairperson may at any time during the debate of a proposed amendment, withdraw it from the consideration of the Committee if in the opinion of the Chairperson, the debate has shown that the amendment contravenes this paragraph.

(7) In the case of a Consolidated Fund Bill, an Equalization Fund Bill, a Division of Revenue Bill, a County Allocation of Revenue Bill or an Appropriation Bill, no amendment shall be moved whose effect would be to impose a charge or increase expenditure above that already resolved by the House or in the Committee of Supply unless the House first resolves to allow such a Motion.

(8) The Chairperson may refuse to propose the question upon any amendment which in the opinion of the Chairperson is frivolous or would make the clause or schedule which it proposes to amend unintelligible or ungrammatical.

(9) Paragraph (4) of Standing Order 54 (*Amendments to Motions*) shall apply, with necessary modifications, to the proceedings for amendment of a Bill in Committee.

(10) The consideration of any part or a clause of a Bill may be postponed until such later stage of the proceedings in Committee on such Bill as the Committee may determine.

(11) On any Motion being made for the addition of a new clause, the clause shall be deemed to have been read a First Time and the question shall then be proposed "That, the new clause be read a Second Time" and if this is agreed, amendments may then be proposed to the new clause and the final question to be proposed shall be "That, the clause (as amended) be added to the Bill".

(6) Rekebisho ambalo haliwiani na sehemu yoyote ya Mswada ambayo imekubaliwa au imeamuliwa na Kamati halitatolewa, na wakati wowote mjadala wa pendekezo la rekebisho unapoendelea, Mwenyekiti anaweza kuliondoa pendekezo hilo lishughulikiwe na Kamati iwapo kwa maoni yake, mjadala umeonyesha kwamba rekebisho hilo linakiuka aya hii.

(7) Pale ambapo Mswada wa Hazina Kuu, Mswada wa Hazina ya Usawazishaji, Mswada wa Kugawa Mapato, Mswada wa Kutenga Mapato kwa Kaunti au Mswada wa Kuidhinisha Matumizi ya Fedha unashughulikiwa, rekebisho ambalo athari yake ni kutoza au kuongeza gharama ya matumizi ya fedha zaidi ya kiwango kilichoamuliwa na Bunge la Taifa au na Kamati ya Ugavi wa Fedha halitatolewa isipokuwa kama Bunge la Taifa litaamua kuruhusu Hoja hiyo.

(8) Mwenyekiti anaweza kukataa kupendekeza Hoja ya rekebisho ambalo kwa maoni yake halina maana au litasababisha kifungu au nyongeza ya Mswada unaokusudiwa kurekebishwa kutoeleweka au kuwa na makosa ya kisarufi.

(9) Aya ya (4) ya Kanuni ya 54 (*Marekebisho ya Hoja*), kadri itakavyowezekana, itatumika kurekebisha Mswada katika Kamati.

(10) Kushughulikia sehemu yoyote au kifungu cha Mswada katika Kamati kunaweza kuahirishwa hadi hatua nyingine katika kamati inayoshughulikia Mswada huo, kulingana na uamuzi wa Kamati.

(11) Hoja yoyote ya kuongeza kifungu kipya inapotolewa, kifungu hicho kitachukuliwa kama kilichosomwa Mara ya Kwanza na Hoja itapendekezwa "Kwamba, kifungu kipya kisomwe Mara ya Pili" na iwapo itakubaliwa, marekebisho yanaweza kupendekezwa kwa kifungu hicho kipya na Hoja ya mwisho itakayopendekezwa itakuwa "Kwamba, kifungu (jinsi kilivyorekebishwa) kiongezwe kwenye Mswada".

(12) New schedules shall be disposed of in the same way as new clauses.

(13) The question to be put on the preamble (if any) shall be "That, the preamble (as amended) be the preamble of the Bill."

(14) The question to be put on the long title of the Bill shall be "That, the long title (as amended) be the title of the Bill".

(15) No question shall be put on the enacting formula.

(16) At the conclusion of the proceedings in Committee on a Bill, or, if more than one, on all such Bills, the Member in charge shall move "That, the Bill(s) (as amended) be reported to the House," and the question thereon shall be decided without amendment or debate.

Report of Progress

134. If any Member before the conclusion of proceedings on a Bill in a Committee of the whole House moves to report progress and such Motion is carried, the Chairperson shall leave the Chair and the Chairperson, or, if the Chairperson has taken the Speaker's Chair, the Member in charge of the Bill, shall report progress to the House and shall seek leave to sit again, and a day for the resumption of the proceedings shall be determined by the House Business Committee in consultation with the Member in charge of the Bill.

Bill to be reported

135. When a Committee of the whole House has agreed that a Bill or a number of Bills be reported, the Chairperson, shall forthwith leave the Chair of the Committee and the House shall resume, and the Chairperson or if the Chairperson has taken the Speaker's Chair, the Member in charge of the Bill shall report the Bill to the House, and each Bill, if more than one, shall be so reported separately.

(12) Nyongeza mpya zitashughulikiwa kwa utaratibu uleule unaotumika kushughulikia vifungu vipya.

(13) Hoja itakayotolewa ili iamuliwe kuhusu dibaji (iwapo ipo) itakuwa "Kwamba, dibaji (jinsi ilivyorekebishwa) iwe dibaji ya Mswada."

(14) Hoja itakayotolewa ili iamuliwe kwa anwani ndefu ya Mswada itakuwa "Kwamba, anwani ndefu (jinsi ilivyorekebishwa) iwe anwani ya Mswada".

(15) Hakuna Hoja kuhusu kauli tekelezi itatolewa ili iamuliwe.

(16) Mwishoni mwa shughuli za Kamati kuhusu Mswada, au, ikiwa ni zaidi ya Mswada mmoja, kwa Miswada yote kama hiyo, Mdamini wa Mswada atatoa Hoja "Kwamba, Mswada au Miswada (jinsi ilivyorekebishwa) iripotiwe katika Bunge la Taifa," na Hoja hiyo itaamuliwa bila rekebisha au mjadala.

Ripoti ya hatua iliyofikiwa

134. Iwapo Mbunge yeyote atatoa Hoja kwamba Kamati iripoti hatua iliyofikiwa kabla ya shughuli kuhusu Mswada katika Kamati ya Bunge Zima kuhitimishwa na Hoja hiyo ipitishwe, Mwenyekiti ataondoka kwenye Kiti cha Kamati na Mwenyekiti huyo, au kama Mwenyekiti huyo amechukua Kiti cha Spika, Mdamini wa Mswada, ataripoti hatua zilizofikiwa na Kamati katika Bunge la Taifa na kuomba idhini ya kufanyika kwa kikao kingine cha Kamati, na siku ya kurejelea shughuli itapangwa na Kamati ya Kuratibu Shughuli za Bunge la Taifa ikishauriana na Mdamini wa Mswada.

Mswada kuripotiwa

135. Kamati ya Bunge Zima inapokubaliana kwamba Mswada au Miswada kadhaa iripotiwe, Mwenyekiti ataondoka kwenye Kiti cha Kamati mara moja na Bunge la Taifa litarejea na Mwenyekiti huyo, au kama Mwenyekiti huyo amechukua Kiti cha Spika, Mdamini wa Mswada, ataripoti Mswada katika Bunge la Taifa, na kila Mswada utaripotiwa mmoja baada ya mwingine endapo itakuwa zaidi ya mmoja.

Procedure on Bills reported from Committee of the whole House

136. (1) When a Bill has been reported from a Committee of the whole House, the House shall consider the Bill as reported upon a Motion "That the House do agree with the Committee in the said report".

(2) The question on any Motion moved under paragraph (1) shall be put forthwith, no amendment, adjournment or debate being allowed, unless any Member desires to delete or amend any provision contained in a Bill, or to introduce a new provision in the Bill.

Recommittal Procedure

136A.(1) A Member who desires to amend or delete a provision contained in a Bill reported from Committee of the whole House or introduce a new provision in the Bill, may propose an amendment to add, at the end of the Motion for agreement with the Committee of the whole House, the words "subject to the recommittal of the Bill (in respect of some specified clause, part or of some proposed new clause or new schedule) to a Committee of the whole House".

(2) If the amendment to the motion for agreement with the Committee of the whole House is agreed to, the Bill shall stand so recommitted and the House shall either forthwith or upon a day named by the House Business Committee in consultation with the Member in charge of the Bill dissolve itself into a Committee to consider the matter so recommitted.

Procedure on Bills reported from Select Committees

137. (1) The report of a Select Committee on a Bill shall be laid on the Table of the House by the Chairperson or Vice-Chairperson of the Select Committee or by some other Member authorized by the Committee in that behalf.

Utaratibu kwa Miswada inayoripotiwa kutoka kwa Kamati ya Bunge Zima

136. (1) Mswada unaporipotiwa kutoka kwa Kamati ya Bunge Zima, Bunge la Taifa litashughulikia Mswada huo kama ulivyoripotiwa kupitia Hoja "Kwamba Bunge la Taifa likubaliane na Kamati kuhusu ripoti hiyo".

(2) Hoja kwa mujibu wa aya ya (1) itatolewa ili iamuliwe mara moja bila kuruhusu rekebisho, ahirisho au mjadala, isipokuwa kama Mbunge yeyote atakusudia kufuta au kurekebisha kifungu chochote kwenye Mswada, au kuingiza kifungu kipya kwenye Mswada.

Utaratibu wa Urejeshaji

136A. (1) Mbunge anayekusudia kurekebisha au kufuta kifungu cha Mswada ulioripotiwa kutoka kwa Kamati ya Bunge Zima au kuingiza kifungu kipya kwenye Mswada, anaweza kupendekeza rekebisho mwishoni mwa Hoja ya kukubaliana na Kamati ya Bunge Zima kwa kuongeza maneno "kwa sharti kwamba Mswada (kuhusiana na kifungu fulani, sehemu au kifungu kipya kinachopendekezwa au nyongeza mpya) urejeshwe tena kwenye Kamati ya Bunge Zima".

(2) Iwapo rekebisho la Hoja ya kukubaliana na Kamati ya Bunge Zima litakubalika, Mswada utachukuliwa kuwa umerejeshwa tena na Bunge la Taifa litarejea kwenye Kamati ya Bunge Zima mara moja au kufanya hivyo siku ambayo itatajwa na Kamati ya Kuratibu Shughuli za Bunge la Taifa kwa kushauriana na Mdhamini wa Mswada, kwa ajili ya kushughulikia suala ambalo limerejeshwa.

Utaratibu kwa Miswada inayoripotiwa kutoka kwa Kamati

137. (1) Ripoti ya Kamati kuhusu Mswada itawasilishwa kwenye Meza ya Bunge la Taifa na Mwenyekiti au Naibu Mwenyekiti wa Kamati hiyo au na mjumbe mwingine aliyeteuliwa na Kamati kwa niaba ya Kamati.

(2) The House shall consider the Bill as reported from the Select Committee upon a Motion "That the report of the Select Committee established pursuant to Standing Order 127(2) on the.....Bill be approved."

(3) Standing Order 136 (*Procedure on Bills reported from Committee of the whole House*) shall apply to any motion to approve the report of a Select Committee on a Bill.

Procedure upon the re-committal of a Bill

138. (1) When a Bill has been re-committed to a Committee of the whole House, the Committee shall consider only the matters so re-committed and any matter directly consequential thereon.

(2) Except as is provided by paragraph (1), the procedure in Committee on a Bill on first committal shall apply with the necessary modifications to a Bill on re-committal.

(3) When a Bill has been reported from a Committee of the whole House after recommitment Standing Order 136 (*Procedure on Bills reported from Committee of the whole House*) shall apply.

Third Reading

139. (1) On the adoption of a report on a Bill, the Third Reading may, with the leave of the Speaker, be taken forthwith and if not so taken forthwith, shall be ordered to be taken on a day named by the House Business Committee in consultation with the Member in charge of the Bill.

(2) On the Third Reading of a Bill, a Motion shall be made "That, the Bill be now read a Third Time" and amendments may be proposed similar to those on Second Reading.

(2) Bunge la Taifa litashughulikia Mswada kama ulivyoriptiwa kutoka kwa Kamati kupitia Hoja "Kwamba ripoti ya Kamati iliyoundwa kwa mujibu wa Kanuni ya 127(2) kushughulikia Mswada ... iidhinishwe."

(3) Kanuni ya 136 (*Utaratibu kwa Mswada inayoriptiwa kutoka kwa Kamati ya Bunge Zima*) itatumika kwa hoja yoyote ya kuidhinisha ripoti ya Kamati iliyoundwa kushughulikia Mswada.

Utaratibu utakaotumika Mswada ukirejeshwa kwenye Kamati

138. (1) Mswada utakaporejeshwa kwenye Kamati ya Bunge Zima, Kamati itashughulikia tu masuala yaliyorejeshwa na suala lolote ambalo linaathiriwa moja kwa moja na masuala yaliyorejeshwa.

(2) Isipokuwa kama ilivyoenezwa katika aya ya (1), utaratibu katika Kamati ya Bunge Zima kuhusu Mswada ambao Kamati ilikabidhiwa kwa mara ya kwanza, kadri itakavyowezekana, utatumika kwa Mswada uliorejeshwa kwenye Kamati ya Bunge Zima.

(3) Pale ambapo Mswada umeripotiwa na Kamati ya Bunge Zima baada ya kurejeshwa, Kanuni ya 136 (*Utaratibu kwa Mswada inayoriptiwa kutoka kwa Kamati ya Bunge Zima*) itatumika.

Kusomwa Mara ya Tatu

139. (1) Baada ya ripoti ya Mswada kukubaliwa, Spika anaweza kuidhinisha Mswada usomwe Mara ya Tatu papo hapo na kama hautasomwa papo hapo, itaamriwa Mswada usomwe Mara ya Tatu siku ambayo itatajwa na Kamati ya Kuratibu Shughuli za Bunge la Taifa kwa kushauriana na Mdamini wa Mswada.

(2) Katika hatua ya Mswada kusomwa Mara ya Tatu, Hoja itatolewa "Kwamba, Mswada ... sasa usomwe Mara ya Tatu" na marekebisho yanaweza kupendekezwa kama inavyofanyika wakati wa Mswada Kusomwa Mara ya Pili.

Withdrawal of Bills

140. (1) Either before the commencement of business or on the Order of the Day for any stage of the Bill being read, the Member in charge of a Bill may, without notice, claim to withdraw a Bill.

(2) If the Speaker is of the opinion that the claim is not an abuse of the proceedings of the House, the Speaker shall direct that the Bill shall be withdrawn.

(3) A Bill that has been withdrawn may subject to Standing Order 114 (*Introduction of Bills*) and re-publication be introduced again.

(4) If a Member in charge of a Bill desires to withdraw a Bill before it is introduced in the House, the Member shall, in writing specifying the reasons for the withdrawal, notify the Speaker of the withdrawal and paragraph (3) shall apply to such Bill.

Lapse and Re-introduction of Bills

141. (1) A Bill, the Second Reading or Third Reading of which has been rejected may be introduced again in the next Session, or after the lapse of six months in the same Session but subject to fresh publication as provided in Standing Order 114 (*Introduction of Bills*).

(2) A Bill that has been published, read a First Time or in respect of which the Second Reading has not been concluded—

(a) at the end of a Session in which it was published shall not lapse at the end of that Session but shall resume in the next Session of the same Parliament at the stage where it was last interrupted;

(b) at the end of two consecutive Sessions of the same Parliament shall lapse at the end of the second Session and may be republished in the same or different form in accordance with Standing Order 114 (*Introduction of Bills*).

Kuondolewa kwa Miswada

140. (1) Kabla ya shughuli kuanza au wakati wa kusoma shughuli hiyo kwenye Ratiba ya Shughuli katika hatua yoyote ya kusomwa kwa mswada, Mdhamini wa Mswada anaweza kuomba kuondoa Mswada bila kutoa arifa.

(2) Iwapo kwa maoni ya Spika ombi linalotolewa halihujumu shughuli za Bunge la Taifa, ataelekeza Mswada uondolewe.

(3) Mswada ambao umeondolewa unaweza kuchapishwa tena na kuwasilishwa kwa kuzingatia Kanuni ya 114 (*Uwasilishaji wa Miswada*).

(4) Iwapo Mdhamini wa Mswada anakusudia kuondoa Mswada kabla ya kuuwasilisha katika Bunge la Taifa, Mbunge huyo atamjulisha Spika kwa maandishi akibainisha sababu za kuondoa Mswada wake, na aya ya (3) itatumika kwa Mswada kama huo.

Kutanguka na kuwasilishwa tena kwa Miswada

141. (1) Mswada ambao kusomwa kwake Mara ya Pili au ya Tatu kumekataliwa unaweza kuwasilishwa tena katika Kipindi kinachofuata au baada ya miezi sita katika Kipindi hicho ilimradi uchapishwe upya kwa mujibu wa Kanuni ya 114 (*Uwasilishwaji wa Miswada*).

(2) Mswada ambao umechapishwa, ukasomwa Mara ya Kwanza au ambao hatua ya kusomwa kwake Mara ya Pili haijakamilika—

(a) Mswada huo hautatanguka mwishoni mwa Kipindi ambamo ulichapishwa bali utaendelezwa katika Kipindi kinachofuata cha Bunge hilo kuanzia hatua ambayo ulikatizwa;

(b) Mswada huo utatanguka ifikapo mwisho wa Kipindi cha pili cha Vipindi viwili vinavyofuatana katika Bunge lilo hilo na unaweza kuchapishwa upya ukiwa na maudhui yale yale au tofauti kwa kuzingatia Kanuni ya 114 (*Uwasilishwaji wa Miswada*).

(3) Subject to paragraph (2), a Bill in respect of which the Second Reading has been concluded at the end of a Session shall resume in the next Session of the same Parliament at the stage where it was interrupted at the end of the Session.

(3A) The provisions of paragraph (1), (2), and (3) of this Standing Order shall not apply to a Bill to amend the Constitution, a Division of Revenue Bill, a County Allocation of Revenue Bill or a Bill originating from the Senate.

(4) A Bill the consideration of which has not been concluded at the end of the term of a Parliament shall lapse.

Concurrence of the other House

142. When a Bill other than a Bill which in terms of Article 109(3) of the Constitution is considered only in the National Assembly has been passed, a certified copy of the Bill signed by the Clerk and endorsed by the Speaker shall be forwarded to the Clerk of the Senate, together with a message requesting the concurrence of the Senate.

Consideration of Bills originating from the Senate

143. (1) Whenever the Speaker receives a Bill originating in the Senate, the Speaker shall—

- (a) cause the fact to be known to the House by way of a Message;
- (b) cause the Bill to be read a First Time.

(2) Following First Reading, the Speaker shall, within reasonable time, pronounce his or her opinion contemplated under Article 114(2) of the Constitution.

(3) Where the opinion of the Speaker under paragraph (2) is to the effect that the Bill is not a money Bill, the Bill shall be proceeded with in the same manner as a Bill originating in the National Assembly after First Reading.

(3) Kwa kuzingatia aya ya (2), Mswada ambao hatua ya kusomwa kwake Mara ya Pili ilikamilika mwishoni mwa Kipindi utaendelezwa katika Kipindi kinachofuata cha Bunge lilo hilo kuanzia hatua iliyofikiwa wakati ulipokatizwa.

(3A) Aya ya (1), (2), na (3) za Kanuni hii hazitatumika kwa Mswada wa kurekebisha Katiba, Mswada wa Kugawa Mapato, Mswada wa Kutenga Mapato kwa Kaunti au Mswada unaoanzia Seneti.

(4) Mswada ambao kushughulikiwa kwake hakutakuwa kumekamilika mwishoni mwa muhula wa Bunge utatanguka.

Maafikiano na Seneti

142. Pale ambapo Mswada isipokuwa Mswada ambao kwa mujibu wa Ibara ya 109(3) ya Katiba unashughulikiwa na kupitishwa na Bunge la Taifa pekee, nakala ya Mswada huo iliyotiwa sahihi na kuthibitishwa na Katibu kisha kuidhinishwa na Spika itawasilishwa kwa Katibu wa Seneti, ikiambatisha ujumbe wa kuomba maafikiano na Seneti.

Utaratibu wa kushughulikia Mswada iliyoanzia Seneti

143. (1) Kila mara Spika anapokea Mswada ulioanzia Seneti, Spika—

- (a) atalifahamisha Bunge la Taifa kupitia Ujumbe;
- (b) ataelekeza Mswada huo usomwe Mara ya Kwanza.

(2) Baada ya Mswada Kusomwa Mara ya Kwanza, Spika, katika muda unaofaa, atatoa maoni yake kwa mujibu wa Ibara ya 114(2) ya Katiba.

(3) Pale ambapo maoni ya Spika kwa mujibu wa aya ya (2) ni kwamba Mswada huo hauhusu masuala ya fedha, Mswada huo utashughulikiwa kwa namna ileile kama Mswada ulioanzia Bunge la Taifa baada ya kusomwa Mara ya Kwanza.

(4) Where the opinion of the Speaker under paragraph (2) is to the effect that the Bill is a money Bill in terms of Article 114 of the Constitution, the Bill shall stand referred to the Budget and Appropriations Committee.

(5) The Budget and Appropriations Committee shall consider the Bill and report its recommendations to the House.

(6) Where the Budget and Appropriations Committee recommends that the House—

(a) proceeds with the Bill, the Bill shall be proceeded with in the same manner as a Bill originating in the National Assembly after First Reading in the manner recommended by the Budget and Appropriations Committee;

(b) should not proceed with the Bill, that fact shall be recorded in the Journals of the House.

Procedure on Senate Bills after Third Reading in the House

144. When a Bill which originated in the Senate has been read a Third Time in the National Assembly, the Clerk shall either—

(a) return the Bill with a message to the Senate “That the National Assembly has agreed to the Bill without amendment”;

(b) return the Bill with a message to the Senate “That the National Assembly has rejected the Bill and the Bill has been referred to a mediation committee”; or

(c) cause any amendment or amendments that may have been made to the Bill in the National Assembly to be entered in the Bill received from the Senate, and an amended copy of the Bill, signed by the Clerk and endorsed by the Speaker, shall then be returned to the Senate with a message desiring the concurrence of the Senate to the amendment or amendments made by the National Assembly.

(4) Pale ambapo maoni ya Spika kwa mujibu wa aya ya (2) ni kwamba Mswada unahusu masuala ya fedha kwa mujibu wa Ibara ya 114 ya Katiba, Mswada huo utakabidhiwa Kamati ya Bajeti na Uidhinishaji wa Matumizi.

(5) Kamati ya Bajeti na Uidhinishaji wa Matumizi itashughulikia Mswada huo na kuripoti mapendekezo yake kwa Bunge la Taifa.

(6) Pale ambapo Kamati ya Bajeti na Uidhinishaji wa Matumizi inapendekeza Bunge la Taifa—

(a) lishughulikie Mswada, Mswada huo utashughulikiwa kwa namna ileile kama Mswada ulioanzia katika Bunge la Taifa baada ya kusomwa Mara ya Kwanza kwa namna inayopendekezwa na Kamati ya Bajeti na Uidhinishaji wa Matumizi;

(b) lishughulikie Mswada, uamuzi huo utarekodiwa katika Majarida ya Bunge la Taifa.

Utaratibu wa kushughulikia Mswada ya Seneti baada ya Kusomwa Mara ya Tatu katika Bunge la Taifa

144. Mswada ulioanzia Seneti unaposomwa Mara ya Tatu katika Bunge la Taifa, Katibu—

(a) atarudisha Mswada huo Seneti ukiwa na Ujumbe “Kwamba Bunge la Taifa limeukubali Mswada wa ... bila rekebisho”;

(b) atarudisha Mswada huo Seneti ukiwa na Ujumbe “Kwamba Bunge la Taifa limeukataa Mswada wa ... na Mswada huo umekabidhiwa Kamati ya Usuluhishi”; au

(c) ataelekeza rekebisho au marekebisho yoyote ambayo yamefanywa katika Mswada huo katika Bunge la Taifa kujumuishwa kwenye Mswada uliopokelewa kutoka Seneti na nakala ya Mswada iliyorekebishwa na kutiwa sahihi na Katibu na kuidhinishwa na Spika itarudishwa Seneti ikiwa na ujumbe unaoomba Seneti ikubaliane na rekebisho au marekebisho yaliyofanywa na Bunge la Taifa.

Senate amendments to Bills originating in the National Assembly

145. Senate amendments to a Bill originating in the National Assembly shall be circulated to Members within seven days of receipt of the amendments from the Senate and shall be put down for consideration in a Committee of the Whole House on such day as the House Business Committee shall appoint.

Consideration of Senate amendments to Bills originating in the National Assembly

146. Upon a Motion being made "That the Senate amendments to the Bill be now considered", no amendment may be moved to the question other than an amendment to leave out the words "now" and to add at end of the question "upon this day (state period)", and, in the event of such amendment being carried, the Clerk shall send a message to the Senate "That the Assembly has deferred consideration of the Senate amendments to the Bill (state period)."

Procedure on Senate Amendments to Bills originating in the National Assembly

147. Where the National Assembly has resolved that the Senate amendments to a Bill be considered, each amendment shall be read by the Clerk and may be agreed to or rejected in accordance with Article 112(2) of the Constitution.

Conclusion of Consideration of Senate Amendments to Bills originating in the National Assembly

148. When the House has concluded the consideration of Senate amendments to a Bill originating in the National Assembly and the House—

- (a) passes the Bill as amended, the Speaker shall refer the Bill to the President within seven days for assent; or
- (b) rejects the Bill as amended, the Speaker shall refer the Bill to a mediation committee under Article 113 of the Constitution.

Marekebisho ya Seneti katika Mswada iliyoanzia katika Bunge la Taifa

145. Marekebisho ya Seneti katika Mswada ulioanzia katika Bunge la Taifa yatasambazwa kwa Wabunge katika muda wa siku saba baada ya kupokea marekebisho hayo kutoka Seneti na yatashughulikiwa na Kamati ya Bunge Zima siku itakayopangwa na Kamati ya Kuratibu Shughuli za Bunge la Taifa.

Kushughulikia marekebisho ya Seneti katika Mswada iliyoanzia katika Bunge la Taifa

146. Hoja "Kwamba marekebisho ya Seneti katika Mswada wa ... sasa yashughulikiwe" inapotolewa ijadiliwe, hakuna rekebisho litakalotolewa kwa Hoja hiyo isipokuwa kama ni rekebisho la kuondoa neno "sasa" na kuongeza maneno "baada ya... (taja muda)" mwishoni mwa Hoja na, iwapo rekebisho hilo litapitishwa, Katibu atatuma Ujumbe Seneti "Kwamba Bunge la Taifa limeahirisha kushughulikia marekebisho ya Seneti kwa Mswada wa ... hadi ... (taja muda)."

Utaratibu wa kushughulikia marekebisho ya Seneti katika Mswada iliyoanzia katika Bunge la Taifa

147. Pale ambapo Bunge la Taifa litaamua kushughulikia marekebisho ya Seneti katika Mswada ulioanzia katika Bunge la Taifa, kila rekebisho litasomwa na Katibu na linaweza kukubaliwa au kukataliwa kwa mujibu wa Ibara ya 112(2) ya Katiba.

Kuhitimisha kushughulikia marekebisho ya Seneti katika Mswada iliyoanzia katika Bunge la Taifa

148. Bunge la Taifa linapomaliza kushughulikia marekebisho ya Seneti katika Mswada ulioanzia katika Bunge la Taifa na—

- (a) lipitishwe Mswada kama ulivyorekebishwa, Spika atauwasilisha Mswada huo kwa Rais katika muda usiozidi siku saba ili upate kibali cha Rais; au
- (b) likatae Mswada kama ulivyorekebishwa, Spika ataukabidhi kwa Kamati ya Upatanisho kwa mujibu wa Ibara ya 113 ya Katiba.

Mediation Committee

149. (1) A Bill shall be referred to the mediation committee whenever the Assembly—

(a) does not agree to all or any of the amendments made by the Senate to a Bill concerning County governments which originated in the Assembly;

(b) rejects a Motion that a Bill which originated in the Senate be read a Second or Third Time.

(2) The Speakers of both Houses shall appoint a mediation committee consisting of equal numbers of Members of each House, to attempt to develop a version of the Bill that both Houses will pass.

(3) The quorum of Members of the Assembly who shall be present to take part in a sitting of a Mediation Committee shall be a third of those Members; and no sitting of the Committee shall be validly constituted unless there is also present a like quorum of Members of the Senate.

(4) The Chairperson and Vice Chairperson of the Mediation Committee shall be appointed by the majority of the Members present at the first meeting thereof.

(5) The Chairperson and the vice-chairperson of the Mediation committee shall not be Members of the same House.

(6) If, within thirty days of referral, the Mediation Committee fails to agree on a version of the Bill to be presented to both Houses for approval, the Bill will be deemed to have been negated.

Consideration of report of Mediation Committee

150. (1) The report of a Mediation Committee on a Bill prepared in terms of Article 113 of the Constitution shall be laid on the Table of the House by a Member of the Mediation Committee authorized by the committee in that behalf.

Kamati ya Upatanisho

149. (1) Mswada utakabidhiwa Kamati ya Upatanisho kila mara Bunge la Taifa—

(a) linapokataa marekebisho yote au rekebisho lolote lililofanywa na Seneti kwa Mswada unaohusu serikali za kaunti ambao ulianzia katika Bunge la Taifa;

(b) linapokataa Hoja kwamba Mswada ulioanzia katika Seneti usomwe Mara ya Pili au ya Tatu.

(2) Spika wa Bunge la Taifa na Spika wa Seneti watateua Kamati ya Upatanisho itakayokuwa na idadi sawa ya Wabunge kutoka Bunge la Taifa na Seneti ili ijaribu kuandaa Mswada Kubalifu ambao utapitishwa na Bunge la Taifa na Seneti.

(3) Akidi ya Wabunge wa Bunge la Taifa itakayohitajika kuwepo katika kikao cha Kamati ya Upatanisho ni thuluthi moja ya wajumbe hao na kikao cha kamati hiyo hakitakuwa halali kama kitakosa akidi sawa ya Maseneta.

(4) Mwenyekiti na Makamu Mwenyekiti wa Kamati ya Upatanisho watateuliwa na wingi wa wajumbe wa Kamati hiyo watakaohudhuria kikao cha kwanza.

(5) Iwapo Mwenyekiti wa Kamati ya Upatanisho ni wa Bunge la Taifa, Makamu Mwenyekiti atakuwa wa Seneti na kinyume chake.

(6) Iwapo katika siku zisizozidi thelathini baada ya kukabidhiwa Mswada Kamati ya Upatanisho itakosa kukubaliana na Mswada Kubalifu utakaowalishwa kwenye Bunge la Taifa na Seneti, Mswada huo utachukuliwa kuwa umeanguka.

Kushughulikia Ripoti ya Kamati ya Upatanisho

150. (1) Ripoti ya Kamati ya Upatanisho kwa Mswada iliyoandaliwa kwa mujibu wa Ibara ya 113 ya Katiba itawasilishwa M ezani na Mjumbe aliyeteuliwa na Kamati kwa niaba ya Kamati.

(2) Where the report of the Mediation Committee is to the effect that the committee has failed to agree on a version of the Bill or where the Mediation Committee fails to agree on a version of the Bill within thirty days from the date the Bill was referred to it, the Bill shall stand defeated in terms of Article 113(4) of the Constitution.

(3) Where the report of the Mediation Committee includes an agreed version of the Bill in terms of Article 113(2) of the Constitution, the House shall consider the report of the Mediation Committee upon a Motion “That the report of the Mediation Committee be approved” and the House shall vote to approve or reject the Motion.

(4) If the Motion under paragraph (3) is—

- (a) disagreed to, the Clerk shall send a message to the Senate signifying such disagreement, and the Bill shall be deemed to be defeated; or
- (b) agreed to, the Clerk shall send a message to the Senate signifying such agreement, and on receipt by the Clerk of a similar message from the Senate, the Bill shall be deemed to have been passed by both Houses in the form agreed to by the Mediation Committee and the Speaker of the National Assembly shall refer the Bill to the President for assent within seven days in terms of Article 113(3) of the Constitution.

Special Bill concerning a county government

151. (1) The National Assembly may amend or veto a special Bill that has been passed by the Senate only by a resolution supported by at least two thirds of the members of the Assembly.

(2) If a resolution in the National Assembly to amend or veto a special Bill fails to pass, the Speaker of the Assembly shall, within seven days, refer the Bill, in the form adopted by the Senate, to the President for assent.

(3) Upon referring the Bill to the President, the Speaker of the Assembly shall notify the fact to the Speaker of the Senate.

(2) Pale ambapo Kamati ya Upatanisho itaripoti kuwa haijakubaliana kuhusu Mswada itakaouwasilisha au, iwapo Kamati hiyo haijakubaliana kuhusu Mswada Kubalifu itakaouwasilisha katika siku zisizozidi thelathini kuanzia tarehe ambayo Kamati ilikabidhiwa Mswada, Mswada huo utachukuliwa kuwa umeanguka kwa mujibu wa Ibara ya 113(4) ya Katiba.

(3) Pale ambapo ripoti ya Kamati ya Upatanisho imejumuisha Mswada uliokubaliwa kwa mujibu wa Ibara ya 113(2) ya Katiba, Bunge la Taifa litashughulikia ripoti ya Kamati hiyo kupitia Hoja “Kwamba ripoti ya Kamati ya Upatanisho iidhinishwe” na Bunge la Taifa litapiga kura kukubali au kukataa Hoja hiyo.

(4) Iwapo Hoja kwa mujibu wa aya ya (3)—

- (a) itakataliwa, Katibu ataitumia Seneti Ujumbe akieleza uamuzi huo, na Mswada huo utachukuliwa umeanguka; au
- (b) imekubaliwa, Katibu ataitumia Seneti Ujumbe akieleza uamuzi huo, na Katibu atakapokea Ujumbe kama huo kutoka Seneti, Mswada utachukuliwa kuwa umepitishwa na Bunge la Taifa na Seneti kama ulivyokubaliwa na Kamati ya Upatanisho na Spika wa Bunge la Taifa atauwasilisha kwa Rais ili upate kibali katika muda usiozidi siku saba kwa mujibu wa Ibara ya 113(3) ya Katiba.

Mswada Maalum unaohusu serikali ya kaunti

151. (1) Bunge la Taifa linaweza kurekebisha au kubatilisha Mswada Maalum uliopitishwa na Seneti kupitia tu uamuzi unaongwa mkono na angalau thuluthi mbili ya Wabunge.

(2) Iwapo uamuzi wa Bunge la Taifa wa kurekebisha au kubatilisha Mswada Maalum hautapitishwa, Spika, katika muda usiozidi siku saba, atauwasilisha Mswada huo kwa Rais kama ulivyopitishwa na Seneti ili upate kibali cha Rais.

(3) Mswada utakapowasilishwa kwa Rais, Spika wa Bunge la Taifa atamwarifu Spika wa Seneti kuhusu uwasilishwaji huo.

Custody of Bills

152. (1) Every Bill not requiring the concurrence of the Senate and which has been passed by the National Assembly, including a Bill that has been subjected to a Mediation Committee shall be certified by the Clerk and shall remain in the custody of the Clerk.

(2) Every Bill that originates in the National Assembly that requires the concurrence of the Senate and which has been passed by both Houses shall remain in the custody of the Clerk of the National Assembly and shall be certified by the Clerk of the National Assembly and the Clerk of the Senate.

(3) At any time before the certification of the Bill, the Speaker may correct formal errors or oversights therein without changing the substance of the Bill and thereafter submit the Bill to the President for assent.

(4) This Standing Order shall apply to a special Bill considered under Article 111(3) of the Constitution and a Bill approved in terms of Article 113(3) of the Constitution.

Presentation of Bills for assent

153. The Speaker shall sign a Bill certified under Standing Orders 148 (*Conclusion of Consideration of Senate Amendments to Bills originating in the National Assembly*) and 150 (*Consideration of report of Mediation Committee*) and shall refer the Bill to the President for assent within seven days of its passage by the National Assembly.

Referral of Bills by President

154. (1) Whenever the Speaker receives the President's reservations pursuant to Article 115 of the Constitution, the Speaker shall—

(a) in case of a Bill the Senate did not consider, convey the Message to the House within three days of receipt of the President's reservations;

Uhifadhi wa Mswada

152. (1) Kila Mswada usiohitaji maafikiano ya Seneti na ambao umepitishwa na Bunge la Taifa, ikijumuisha Mswada ulioshughulikiwa na Kamati ya Upatanisho, utathibitishwa na kuhifadhiwa na Katibu.

(2) Kila Mswada unaoanzia Bunge la Taifa ambao unahitaji maafikiano ya Seneti na ambao umepitishwa na Bunge la Taifa na Seneti utahifadhiwa na Katibu wa Bunge la Taifa na kuthibitishwa na Katibu wa Bunge la Taifa na Katibu wa Seneti.

(3) Wakati wowote kabla ya Mswada kuthibitishwa, Spika anaweza kurekebisha makosa au kasoro ndogo kwenye Mswada bila kubadilisha maudhui ya Mswada huo na kisha atauwasilisha kwa Rais ili upate kibali.

(4) Kanuni hii itatumika kwa Mswada Maalum unaoshughulikiwa kwa mujibu wa Ibara ya 111(3) ya Katiba na Mswada ulioidhinishwa kwa mujibu wa Ibara ya 113(3) ya Katiba.

Kuwasilisha Mswada ipate kibali

153. Spika atatia sahihi Mswada uliothibitishwa kwa mujibu wa Kanuni ya 148 (*Kuhitimisha kushughulikia marekebisho ya Seneti kwa Mswada iliyoanzia katika Bunge la Taifa*) na ya 150 (*Kushughulikia Ripoti ya Kamati ya Upatanisho*) na atauwasilisha kwa Rais ili upate kibali katika muda usiozidi siku saba baada ya kupitishwa na Bunge la Taifa.

Mswada iliyorejeshwa na Rais

154. (1) Wakati wowote Spika anapopokea sababu za Rais kutoidhinisha mswada kwa mujibu wa Ibara ya 115 ya Katiba—

(a) atauwasilisha Ujumbe kwa Bunge la Taifa katika muda usiozidi siku tatu baada ya kupokea sababu za Rais kutoidhinisha mswada ikiwa mswada huo haukushughulikiwa na Seneti;

(b) in case of a Bill the Senate considered, convey the message to the House and refer the President's reservations to the Senate within seven days of receipt of the President's reservations.

(2) The Assembly shall, in accordance with the provision of Article 115 of the Constitution, consider the President's reservations conveyed to the House under paragraph (1)(a) within twenty-one days of the date when the House next meets.

(3) The Assembly may, in considering the Bill a second time, propose amendments in light of the President's reservations either fully accommodating the President's reservations, or not fully accommodating the President's reservations.

(4) The Speaker shall make the determination on whether any proposed amendment to the Bill in light of the President's reservations either fully accommodate the President's reservations or do not fully accommodate the President's reservations in terms of Article 115 of the Constitution.

(5) The Assembly shall vote on the proposed amendments and may pass the Bill—

(a) where the amendments do not fully accommodate the President's reservations, by a vote supported by two-thirds of all the Members;

(b) where the amendments fully accommodate the reservations of the President, in the manner contemplated under Article 122(1) of the Constitution.

(6) For purposes of considering the President's reservations conveyed under paragraph (1)(b), the Assembly and the Senate shall constitute a Joint Committee within two days of receipt of the President's reservations in the Senate.

(b) atawasilisha Ujumbe kwa Bunge la Taifa na kisha kuwasilisha sababu za Rais kutoidhinisha Mswada kwa Seneti katika muda usiozidi siku saba baada ya kuupokea ikiwa mswada huo ulishughulikiwa na Seneti.

(2) Bunge la Taifa, kwa mujibu wa Ibara ya 115 ya Katiba, litashughulikia sababu za Rais kutoidhinisha Mswada ambao umewasilishwa kwa mujibu wa aya ya (1) (a), katika muda usiozidi siku ishirini na moja pindi Bunge la Taifa litakaporejea kwenye vikao.

(3) Katika kushughulikia Mswada mara ya pili, Bunge la Taifa linaweza kupendekeza marekebisho yanayozingatia sababu za Rais za kutoidhinisha Mswada, ama kwa kuzikubali kikamilifu au kutozikubali kikamilifu sababu za Rais kutoidhinisha Mswada.

(4) Spika ataamua ikiwa rekebisho lolote linalopendekezwa kwenye Mswada uliorejeshwa na Rais linakubaliana kikamilifu au halikubaliani kikamilifu na sababu za Rais kutoidhinisha Mswada kwa mujibu wa Ibara ya 115 ya Katiba.

(5) Bunge la Taifa litapiga kura kuhusu marekebisho yaliyopendekezwa na linaweza kupitisha mswada—

(a) kwa kura ya thuluthi mbili ya Wabunge wote pale ambapo marekebisho hayakubaliani kikamilifu na sababu za Rais kutoidhinisha Mswada;

(b) kwa kufuata utaratibu uliowekwa katika Ibara ya 122(1) ya Katiba pale ambapo marekebisho yanakubaliana kikamilifu na sababu za Rais kutoidhinisha Mswada.

(6) Kwa ajili ya kushughulikia sababu za Rais kutoidhinisha Mswada uliowasilishwa kwa mujibu wa aya ya (1) (b), Bunge la Taifa na Seneti litaunda Kamati ya Pamoja katika muda usiozidi siku mbili baada ya Seneti kupokea sababu za Rais kutoidhinisha Mswada.

(7) The Joint Committee shall within fourteen days consider the President's reservations and table a Report in the respective Houses.

(8) The Houses may, in considering the Bill a second time in terms of Article 115 of the Constitution, propose amendments to the Bill in light of the President's reservations either-

(a) fully accommodating the President's reservations; or,

(b) not fully accommodating the President's reservations.

(9) The Speakers shall jointly determine whether any proposed amendment to a Bill conveyed under paragraph (1)(b), fully accommodates the President's reservations or does not fully accommodate the President's reservations in terms of Article 115 of the Constitution.

(10) If the Speakers fail to agree under paragraph (9), the amendment shall be deemed not to fully accommodate the President's reservations.

(11) If the Joint Committee fails to submit a report at the expiry of the period prescribed under paragraph (7) or if the report of the Joint Committee is to the effect that the Committee has failed to agree on any amendments, the Houses shall proceed to consider the Bill a second time and the provisions of paragraph (8) shall apply.

155. *(Deleted)*

(7) Kamati ya Pamoja itashughulikia sababu za Rais kutoidhinisha Mswada katika muda usiozidi siku kumi na nne na kuwasilisha Ripoti katika Bunge la Taifa na Seneti.

(8) Katika kushughulikia Mswada kwa mara ya pili kwa mujibu ya Ibara ya 115 ya Katiba, Bunge la Taifa linaweza, na Seneti inaweza, kupendekeza marekebisho kwenye Mswada kwa kukubali sababu za Rais kutoidhinisha Mswada ama—

(a) kwa kukubali kikamilifu sababu za Rais kutoidhinisha Mswada; au,

(b) kwa kutokubali kikamilifu sababu za Rais kutoidhinisha Mswada.

(9) Spika wa Bunge la Taifa na Spika wa Seneti wataamua kwa pamoja ikiwa rekebisho lolote lililopendekezwa kwenye Mswada uliowasilishwa kwa mujibu wa aya ya (1)(b), linakubaliana au halikubaliani kikamilifu na sababu za Rais kutoidhinisha Mswada kwa mujibu wa Ibara ya 115 ya Katiba.

(10) Ikiwa Spika wa Bunge la Taifa na Spika wa Seneti hawatakubaliana kwa mujibu wa aya ya (9), rekebisho litachukuliwa kuwa lisilokubaliana kikamilifu na sababu za Rais kutoidhinisha Mswada.

(11) Ikiwa Kamati ya Pamoja haitawasilisha ripoti baada ya kukamilika kwa muda uliotajwa katika aya ya (7) au ikiwa ripoti ya Kamati ya Pamoja inabainisha kwamba Kamati haijakubaliana kuhusu marekebisho yoyote, Bunge la Taifa litashughulikia, na Seneti itashughulikia, Mswada kwa mara ya pili na aya ya (8) itatumika.

155. *(Imefutwa)*

PART XX

PRIVATE BILLS

Application of public Bill procedure

156. Except as otherwise provided in this Part, the Standing Orders relating to public Bills shall apply in respect of private Bills.

Saving clause

157. Every private Bill shall contain a clause saving the rights of the President, the national and county governments, of all bodies politic or corporate, and of all others, except such as are mentioned in the Bill and those claiming by, from or under them.

Private Bill affecting private rights

158. (1) No private Bill which directly affects the private rights or property of any persons, shall originate in the House unless the provisions of this Standing Order as to notice have been complied with.

(2) A notice shall be published in not less than three separate issues of the *Gazette*, specifying the general nature and objects of the Bill; the last of such publications being not less than fourteen days before the presentation of the Petition referred to in Standing Order 159 (*Petition for Leave*).

Petition for leave

159. (1) No private Bill shall be introduced unless a Petition for the same, headed by the short title of the Bill, and signed by the parties, being promoters of the Bill, or some of them, has been previously presented to the House with a copy of the Bill annexed.

(2) The Clerk shall scrutinize petitions presented to the House and where, after such scrutiny, the Clerk is not satisfied that the provisions of this Part have been complied with, the Clerk shall so report to the Speaker.

SEHEMU YA XX

MISWADA BINAFSI

Utaratibu wa Mswada wa umma kutumika

156. Isipokuwa kama imeelekezwa vinginevyo katika sehemu hii, kanuni zinazohusu miswada ya umma zitatumika kwa Miswada Binafsi.

Kifungu cha uhifadhi

157. Kila Mswada Binafsi utakuwa na kifungu cha kuhifadhi haki za Rais, za serikali ya taifa na serikali za kaunti, za asasi au mashirika mbalimbali, na nyinginezo, isipokuwa zile zilizotajwa kwenye Mswada na wale wanaodai kuhusika katika mswada.

Mswada Binafsi unaoathiri haki binafsi

158. (1) Hakuna Mswada Binafsi ambao moja kwa moja unaathiri haki binafsi au mali ya mtu yeyote, utanzia katika Bunge la Taifa isipokuwa kama Kanuni hii kuhusu uwasilishaji wa arifa imezingatiwa.

(2) Arifa itachapishwa katika matoleo yasiyopungua matatu ya *Gazeti* Rasmi la Serikali, ikitaja maudhui ya jumla na madhumuni ya Mswada na chapisho la mwisho litachapishwa katika muda usiopungua siku kumi na nne kabla ya kuwasilisha Ardhillhali iliyotajwa katika Kanuni ya 159 (*Ardhillhali ya Idhini*).

Ardhillhali ya Idhini

159. (1) Hakuna Mswada Binafsi utakaowasilishwa isipokuwa kama Ardhillhali, ambayo itakuwa na anwani fupi ya Mswada na kutiwa sahihi na wahusika wote au baadhi yao ambao ni wadhamini wa Mswada, itakuwa imewasilishwa katika Bunge la Taifa mbeleni ikiambatisha nakala ya Mswada.

(2) Katibu atahakiki ardhillhali zilizowasilishwa katika Bunge la Taifa na endapo hataridhika kuwa masharti ya Sehemu hii yamezingatiwa, Katibu ataripoti hali hiyo kwa Spika.

(3) The promoters shall deposit with the Clerk a sufficient number of copies of the Petition with the Bill annexed, for distribution to Members and on receipt of such copies, the Clerk shall forthwith avail a copy to every Member.

(4) The Petition shall be read at the first sitting of the House after it is so deposited and thereupon the question "That, the promoters be granted leave to proceed" shall be put forthwith and decided without amendment or debate.

Security for cost of printing

160. (1) Where leave to proceed is granted, the Clerk shall provide an estimate of the cost of printing the Bill and the promoters of the Bill shall meet such cost.

(2) The promoters shall deposit at least twenty five percent of the estimated total cost of printing the Bill as security with the Clerk.

Bills authorizing construction works

161. (1) In the case of a private Bill authorizing construction works, before such Bill is read a First Time, the promoters shall—

(a) deposit with the Clerk an estimate of the expense of the undertaking, signed by the person making such estimate and approved by the Clerk; and

(b) deposit with the Clerk a sum not less than four percent of the amount of the estimate under paragraph (1).

(2) In every such Bill, there shall be inserted a clause to the effect that, if the works authorized to be constructed are not completed before the expiry of a time to be set out by the Bill for such completion, the sum deposited with the Clerk shall be forfeited to the Consolidated Fund.

(3) Wadhamini wa Mswada watawasilisha kwa Katibu nakala za kutosha za Ardhihali zikiwa zimeambatisha Mswada kwa ajili ya kusambazwa kwa Wabunge na baada ya kupokea nakala hizo, Katibu atazigawa kwa kila Mbunge bila kukawia.

(4) Ardhihali itasomwa katika kikao cha kwanza cha Bunge la Taifa baada ya kuwasilishwa na Hoja "Kwamba, wadhamini wapewe idhini ya kuendelea" itatolewa bila kukawia na kuamuliwa bila marekebisho au mjadala.

Dhamana ya gharama za uchapishaji

160. (1) Pale ambapo idhini itatolewa kwamba Mswada Binafsi uwasilishwe, Katibu atatoa makadirio ya gharama ya kuchapisha Mswada na wadhamini wa Mswada watagharimia uchapishaji.

(2) Wadhamini watawasilisha kwa Katibu angalau asilimia ishirini na tano ya jumla ya makadirio ya gharama ya kupiga chapa Mswada kama dhamana ya gharama za uchapishaji.

Miswada inayoidhinisha kazi za ujenzi

161. (1) Pale ambapo ni Mswada Binafsi unaoidhinisha kazi za ujenzi, kabla ya Mswada huo kusomwa Mara ya Kwanza, wadhamini—

(a) watamkabidhi Katibu makadirio ya gharama za shughuli hiyo, iliyotiwa sahihi na mtu aliyefanya makadirio hayo na kuidhinishwa na Katibu; na

(b) watamkabidhi Katibu angalau asilimia nne ya fedha ya makadirio yaliyowasilishwa kwa mujibu wa aya ya (1).

(2) Kila Mswada wa aina hii utakuwa na kifungu kwamba iwapo kazi za ujenzi zilizoidhinishwa hazitakamilishwa katika muda uliotajwa kwenye Mswada dhamana ya kifedha iliyokabidhiwa Katibu itatwaliwa na Hazina Kuu .

First Reading

162. When the provisions of this part have been complied with, the Clerk shall cause the Bill to be printed, distributed to Members and published in the *Gazette* and at the first sitting of the House held not less than fourteen days after such publication, the Bill shall be read a First Time.

Right of audience before Committee on opposed Bill

163. (1) Subject to these Standing Orders all petitions against a private Bill containing a prayer that the petitioners be heard by themselves, or by their advocates, shall stand referred to a Select Committee which shall hear any such petitioners or advocates.

(2) The promoters of an opposed private Bill shall be entitled to be heard before the Select Committee on the Bill by themselves, or by their advocates, in favour of the Bill and against any petitions against the Bill.

How Bills may be opposed

164. No person, other than a Member, shall be heard, whether in person or by advocate, in opposition to a private Bill unless such person has previously lodged a Petition with the Clerk, showing the nature of the person's objections to the Bill and whether the person's objections extend to the whole or some part of the Bill and praying that he or she may be heard in person or by advocate, as the case may be.

Printing expenses

165. As soon as practicably possible, after a private Bill is passed, rejected or abandoned, the Clerk shall make out an account showing the expenses of printing and shall, if the amount of the account is less than the security deposited, refund the balance, and if it is excess, cause the promoter to pay the balance.

Kusomwa Mara ya Kwanza

162. Pale ambapo masharti ya sehemu hii yatakuwa yamezingatiwa, Katibu ataelekeza Mswada huo upigwe chapa, usambaziwe Wabunge na uchapishwe kwenye *Gazeti* Rasmi la Serikali na katika kikao cha kwanza cha Bunge la Taifa kitakachofanyika angalau siku kumi na nne baada ya kuchapishwa, Mswada huo utasomwa Mara ya Kwanza.

Haki ya kusikilizwa na Kamati kuhusu Mswada unaopingwa

163. (1) Kwa kuzingatia Kanuni hizi ardhilhali zote za kupinga Mswada Binafsi wenye ombi kuwa wawasilishaji wa ardhilhali wasikilizwe wenyewe au kupitia kwa mawakili wao, zitakabidhiwa Kamati ambayo itawasikiliza wenye ardhilhali au mawakili wao.

(2) Wadhamini wa Mswada Binafsi unaopingwa watakuwa na haki ya kusikilizwa na Kamati inayoshughulikia Mswada au kupitia mawakili wao, kwa ajili ya kuutetea Mswada na kupinga ardhilhali zinazopinga Mswada.

Namna Miswada inavyoweza kupingwa

164. Hakuna mtu yeyote, isipokuwa Mbunge, atakayesikilizwa yeye mwenyewe au wakili wake, katika kupinga Mswada Binafsi isipokuwa kama mtu huyo alishawasilisha kwa Katibu ardhilhali ikionyesha asili ya pingamizi zake kwa Mswada huo na kama pingamizi hizo zinahusu Mswada mzima au sehemu ya Mswada na kuomba asikilizwe mwenyewe au kupitia kwa wakili kwa kadri itakavyokuwa.

Gharama za kupiga chapa

165. Mara baada ya Mswada Binafsi kupitishwa, kukataliwa au kutelekezwa, Katibu ataandaa hesabu ya gharama zilizotumika katika kupiga chapa na iwapo gharama hizo ni chini ya kiasi cha dhamana iliyotolewa, atarejesha salio, na kama imezidi, atamtaka mdhamini kulipa kiasi kilichozi.

PART XXI

COMMITTEE OF THE WHOLE HOUSE

Limits on consideration of matters by Committee

166. A Committee shall not consider any matter other than a matter which has been referred to it or which it is required by these Standing Orders to consider.

Committee of the whole House may not adjourn

167. A Committee may not adjourn its own sitting or the consideration of any matter to a future sitting, but the Chairperson may by Motion be directed notwithstanding that all matters referred to the Committee have not yet been considered, to report progress to the House and ask leave to sit again.

Report

168. When all the matters referred to a Committee of the whole House have been considered, the Chairperson shall be directed by Motion to report to the House.

No debate on Motion for Report

169. (1) When a Motion is made in Committee to report or to report progress and ask leave to sit again, the question shall be put forthwith and decided without amendment or debate and if the question is agreed to the Chairperson shall forthwith leave the chair.

(2) Except as otherwise provided by these Standing Orders, every report under paragraph (1) shall be made without question put, and may, by Motion, be agreed to or negated by the House or re-committed to the Committee, or postponed for further consideration.

SEHEMU YA XXI

KAMATI YA BUNGE ZIMA

Mipaka ya mamlaka ya Kamati

166. Kamati haitashughulikia suala lolote isipokuwa suala ambalo imekabidhiwa au ambalo linahitaji kushughulikiwa na Kamati kwa mujibu wa Kanuni hizi.

Kamati ya Bunge Zima kutojahirisha

167. Kamati haitaahirisha kikao chake au kuahirisha kushughulikia suala lolote hadi kikao kingine lakini kupitia Hoja, Mwenyekiti anaweza kuelekezwa atoe ripoti katika Bunge la Taifa hatua iliyofikiwa katika kushughulikia suala ambalo Kamati ilikabidhiwa na kuomba idhini ya kufanya kikao kingine licha ya kwamba haijakamilisha kushughulikia masuala iliyokabidhiwa.

Ripoti

168. Pale ambapo Kamati ya Bunge Zima imemaliza kushughulikia masuala yote iliyokabidhiwa, Mwenyekiti ataelekezwa kupitia Hoja itakayotolewa kwamba atoe ripoti katika Bunge la Taifa.

Hoja ya Ripoti kutojadiliwa

169. (1) Hoja inapotelewa kwamba Kamati itoe ripoti au iripoti hatua iliyofikiwa na kuomba idhini ya kufanya kikao kingine, Hoja itatolewa ili iamuliwe bila kukawia na bila marekebisho au mjadala na ikikubaliwa, Mwenyekiti ataondoka kwenye Kiti bila kukawia.

(2) Isipokuwa kama Kanuni hizi zimeeleza vinginevyo, kila ripoti itakayotolewa kwa mujibu wa aya ya (1) itatolewa bila kulihoji Bunge la Taifa na inaweza, kupitia Hoja, kupitishwa au kuangushwa na Bunge la Taifa, au kurejeshwa kwenye Kamati, au kuahirishwa ili kushughulikiwa zaidi.

General application of rules in Committee

170. Except as otherwise provided in these Standing Orders, the same rules of order and of debate for the conduct of business shall be observed in Committee as in the House.

PART XXII

SELECT COMMITTEES

House Business Committee

171. (1) There shall be a select committee, to be designated the House Business Committee, consisting of—

- (a) the Speaker who shall be the Chairperson;
- (b) the Leader of the Majority Party or a representative designated in writing;
- (c) the Leader of the Minority Party or a representative designated in writing;
- (d) the Majority Party Whip or a representative designated in writing;
- (e) the Minority Party Whip or a representative designated in writing; and
- (f) seven other Members, who shall be nominated by parliamentary parties and approved by the House at the commencement of every Session, reflecting the relative majorities of the seats held by each of the parliamentary parties in the National Assembly and taking into consideration the interests of Independents.

(2) The House Business Committee shall be appointed within seven days on assembly of a new House.

(3) In the absence of the Speaker, the Deputy Speaker shall attend and Chair the meetings of the House Business Committee.

(4) The House Business Committee shall—

Matumizi ya jumla ya masharti kwenye Kamati

170. Isipokuwa kama Kanuni hizi zimeeleza vinginevyo, masharti yale yale ya utaratibu na ya mjadala yanayotumika kuendesha shughuli kwenye vikao vya Bunge yatumika kwenye Kamati.

SEHEMU YA XXII

KAMATI

Kamati ya Kuratibu Shughuli za Bunge la Taifa

171. (1) Kutakuwa na Kamati itakayoitwa Kamati ya Kuratibu Shughuli za Bunge la Taifa itakayojumuisha—

- (a) Spika ambaye atakuwa Mwenyekiti;
- (b) Kiongozi wa Chama cha walio Wengi au mwakilishi wake aliyeteuliwa kimaandishi;
- (c) Kiongozi wa Chama cha walio Wachache au mwakilishi wake aliyeteuliwa kimaandishi;
- (d) Mratibu wa Chama cha walio Wengi au mwakilishi wake aliyeteuliwa kimaandishi;
- (e) Mratibu wa Chama cha walio Wachache au mwakilishi wake aliyeteuliwa kimaandishi; na
- (f) Wabunge wengine saba ambao watateuliwa na Vyama Bunge na kuidhinishwa na Bunge la Taifa mwanzoni mwa kila Kipindi, ikiakisi wingi wa idadi ya Wabunge wa kila Chama Bunge katika Bunge la Taifa na kuzingatia maslahi ya Wabunge Huru.

(2) Kamati ya Kuratibu Shughuli za Bunge la Taifa itaundwa katika siku zisizozidi saba baada ya Bunge jipya kukutana.

(3) Spika asipokuwepo, Naibu Spika atahudhuria na kuwa mwenyekiti wa mikutano yote ya Kamati ya Kuratibu Shughuli za Bunge la Taifa.

(4) Kamati ya Kuratibu Shughuli za Bunge la Taifa —

- (a) prepare and, if necessary, from time to time adjust the Parliamentary Calendar with the approval of the House;
- (b) monitor and oversee the implementation of the House Business and programmes;
- (c) implement the Standing Orders respecting the scheduling or programming of the business of the House and the functioning of the Committees of the House;
- (d) determine the order in which the reports of Committees shall be debated in the House;
- (e) may take decisions and issue directives and guidelines to prioritize or postpone any business of the House acting with the concurrence of the Leader of the Majority Party or the Leader of the Minority Party, as the case may be; and
- (f) consider such matters as may from time to time arise in connection with the business of the House and shall have and perform such powers and functions as are conferred on and ascribed to it by these Standing Orders or from time to time by the House.

(5) The Chairperson and at least one third of the other Members of the House Business Committee shall form a quorum.

(6) If, for any reason, a Member of the House Business Committee is unable to attend, the Leader in the House of the party which nominated that Member may appoint another Member in that Member's place for the period for which the Member is unable to attend.

Committee on Selection

172. (1) There shall be a select committee, to be designated Committee on Selection, consisting of—

- (a) the Leader of the Majority Party who shall be the Chairperson;
- (b) the Leader of the Minority Party;

- (a) itatayarisha, na kila inapohitajika, kubadilisha Kalenda ya Bunge kwa idhini ya Bunge la Taifa;
- (b) itafuatilia na kusimamia utekelezaji wa shughuli na mipango ya Bunge la Taifa;
- (c) itatekeleza Kanuni za Kudumu zinazohusiana na upangaji au uratibishaji wa shughuli za Bunge na utendakazi wa Kamati za Bunge la Taifa;
- (d) itaamua mpangilio ambao ripoti za Kamati zitajadiliwa katika Bunge la Taifa;
- (e) inaweza kuamua na kutoa maelekezo na miongozo ili kuipa shughuli kipaumbele au kuiahirisha shughuli yoyote ya Bunge la Taifa kwa maafikiano ya Kiongozi wa Chama cha walio Wengi au Kiongozi wa Chama cha walio Wachache, kadri itakavyokuwa; na
- (f) itashughulikia masuala yatakayoibuka mara kwa mara kuhusu shughuli za Bunge la Taifa na itakuwa na mamlaka na itatekeleza majukumu iliyokabidhiwa kwa mujibu wa Kanuni hizi au na Bunge la Taifa mara kwa mara.

(5) Akidi ya Kamati ya Kuratibu Shughuli za Bunge la Taifa itakuwa ni Mwenyekiti na angalau thuluthi moja ya Wajumbe wa Kamati hiyo.

(6) Iwapo kwa sababu yoyote, Mjumbe wa Kamati ya Kuratibu Shughuli za Bunge la Taifa hawezi kuhudhuria mikutano, Kiongozi wa Chama katika Bunge la Taifa kilichomteua Mjumbe huyo anaweza kuteua Mbunge mwingine kuhudhuria mikutano kwa kipindi ambacho Mjumbe huyo hataweza kuhudhuria mikutano.

Kamati ya Kuteua Wajumbe wa Kamati

172. (1) Kutakuwa na Kamati itakayoitwa Kamati ya Kuteua Wajumbe wa Kamati itakayojumuisha—

- (a) Kiongozi wa Chama cha walio Wengi ambaye atakuwa Mwenyekiti;
- (b) Kiongozi wa Chama cha walio Wachache;

(c) not less than eleven and not more than nineteen members, who shall be nominated by parliamentary parties and approved by the House taking into consideration the interests of Independents.

(2) The Committee on Selection shall nominate Members to serve in Committees, save for the membership of the House Business Committee and Committee on Appointments.

(3) The Committee on Selection shall be appointed within ten days on assembly of a new House.

General Provisions

Nomination of members of select committees

173. (1) Unless otherwise provided by any written law or these Standing Orders, the Committee on Selection shall, in consultation with parliamentary parties, nominate Members who shall serve on a select committee.

(2) The Committee on Selection shall give consideration to the need for gender balance and shall, so far as may be practicable, ensure that no more than two-thirds of Members of a committee of the Assembly, including a committee established through a resolution of the House, shall be of the same gender.

(3) A vacancy occasioned by resignation or removal of a Member from a select committee shall be filled within fourteen days of the vacancy.

(4) A Member against whom an adverse recommendation has been made in a report of a select committee that has been adopted by a House of Parliament shall be ineligible for nomination as a Member of that committee.

Criteria for nomination

174. (1) In nominating Members to serve on a select Committee, the Committee on Selection shall ensure that—

(c) Wabunge wasiopungua kumi na mmoja na wasiozidi kumi na tisa watakaoteuliwa na Vyama Bunge na kuidhinishwa na Bunge la Taifa kwa kuzingatia maslahi ya Wabunge Huru.

(2) Kamati ya Kuteua Wajumbe wa Kamati itateua Wabunge kuhudumu kwa Kamati zote isipokuwa Kamati ya Kuratibu Shughuli za Bunge la Taifa na Kamati ya Uteuzi.

(3) Kamati ya Kuteua Wajumbe wa Kamati itaundwa katika siku zisizozidi kumi baada ya Bunge jipya kukutana.

Masharti ya kijumla

Uteuzi wa Wajumbe wa Kamati

173. (1) Isipokuwa kama imeelezwa vinginevyo na sheria au Kanuni hizi, Kamati ya Kuteua Wajumbe wa Kamati, kwa kushauriana na Vyama Bunge, itateua Wajumbe watakaohudumu katika Kamati.

(2) Kamati ya Kuteua Wajumbe wa Kamati itazingatia haja ya kuwa na usawa wa kijinsia na kadri iwezekanavyo itahakikisha kwamba idadi isiyoziidi thuluthi mbili ya Wajumbe wa Kamati, ikiwemo kamati iliyoundwa kwa uamuzi wa Bunge la Taifa, itakuwa ya jinsia moja.

(3) Nafasi itakayotokea baada ya kujiuzulu au kuondolewa kwa Mjumbe kwenye kamati itajazwa katika muda usiozidi siku kumi na nne tangu nafasi hiyo kuwa wazi.

(4) Mjumbe ambaye aliwahi kutuhumiwa kwenye mapendekezo katika ripoti ya kamati iliyopitishwa na Bunge la Taifa au Seneti hastahili kuteuliwa Mjumbe wa kamati hiyo.

Vigezo vya uteuzi

174. (1) Katika kuwateua Wabunge watakaohudumu kwenye Kamati, Kamati ya kuteua Wajumbe wa Kamati itahakikisha kwamba—

- (a) the membership of each committee reflects the relative majorities of the seats held by each of the parliamentary parties in the National Assembly;
- (b) no two members of the House Business Committee serve in the same Departmental Committee;
- (c) so far as may be practicable, at least one independent member is nominated to serve in the Special Fund Accounts Committee; and
- (d) majority of the members of the Public Accounts Committee, Public Investments Committee, Committee on Implementation and the Special Fund Accounts Committee are drawn from parties other than parliamentary parties forming the national government.

(2) Despite paragraph (1), a Member belonging to a party other than a parliamentary party or independent Member may be nominated to serve in a select committee and the allocation of membership of select committees shall be as nearly as practicable proportional to the number of Members belonging to such parties and independent Members.

(3) Except as the House may otherwise resolve, on the recommendation of the Committee on Selection for reasons to be stated—

- (a) no Member shall be appointed to serve in more than two Departmental Committees;
- (c) (b) a Member who is a Chairperson of a committee or a member of the Parliamentary Service Commission appointed under Article 127(2)(c) of the Constitution shall not serve in more than one committee.

Approval of nomination

175. (1) The Committee on Selection shall, within seven days upon nomination of Members to serve in any committee of the House, present the list to the House for approval.

- (a) idadi ya wajumbe katika kila kamati inaakisi wingi wa Wabunge wa kila Chama Bunge katika Bunge la Taifa;
- (b) wajumbe wawili wa Kamati ya Kuratibu Shughuli za Bunge la Taifa hawatahudumu katika Kamati moja ya Kiidara;
- (c) kadri iwezekanavyo, angalau Mbunge Huru mmoja ameteuliwa kuhudumu katika Kamati ya Hesabu za Hazina Maalum; na
- (d) Wajumbe wengi wa Kamati ya Hesabu za Umma, Kamati ya Uwekezaji wa Umma, Kamati ya Utekelezaji na Kamati ya Hesabu za Hazina Maalum wanateuliwa kutoka vyama visivyo Vyama Bunge ambavyo haviundi serikali ya taifa.

(2) Licha ya aya ya (1), Mbunge wa chama kisicho Chama Bunge au Mbunge Huru anaweza kuteuliwa kuhudumu katika kamati na, kadri iwezekanavyo, idadi ya Wabunge katika kila Kamati ina uwiano na idadi ya Wabunge ambao ni wanachama wa vyama hivyo na Wabunge Huru.

(3) Isipokuwa kama Bunge la Taifa litaamua vinginevyo kufuatia pendekezo na sababu zitakazotolewa na Kamati ya kuteua—

- (a) hakuna Mbunge atakayeteuliwa kuhudumu katika Kamati za Kiidara zaidi ya mbili.
- (b) Mbunge ambaye ni Mwenyekiti wa Kamati ama Mjumbe wa Tume ya Huduma za Bunge aliyeteuliwa kwa mujibu wa Ibara ya 127(2)(c) ya Katiba hatahudumu katika kamati zaidi ya moja.

Kuidhinisha uteuzi

175. (1) Kamati ya Kuteua Wajumbe wa Kamati itawasilisha katika Bunge la Taifa orodha ya Wabunge watakaohudumu katika Kamati za Bunge katika muda usiozidi siku saba baada ya kuwateua ili uteuzi huo uidhinishwe.

(2) Whenever a Motion for approval of a list under paragraph (1) is moved in the House, no objection against the proposed membership of a Member in a select committee shall be permitted and objections, if any, shall be formulated against the proposed membership as a whole.

(3) A Member shall not be a member of a committee of the House, unless the nomination of such Member into the committee is approved by the House.

Discharge of a member from a committee

176. (1) A parliamentary party may discharge a Member from a select committee after according the Member an opportunity to be heard.

(2) The parliamentary party whip of the party that nominated a Member to a select committee shall give notice in writing to the Speaker of the intention to discharge a Member from a select committee.

(3) The Speaker shall, within three days of receipt of the notice under paragraph (2), inform the Member of the notice.

Composition of select committees

177. Subject to any written law, these Standing Orders or a resolution of the House, a select committee shall consist of an odd number of members, being not less than eleven and not more than twenty-three.

Chairing of select committees and quorum

178. (1) Subject to paragraph (2) of Standing Order 173 (*Nomination of Members of select committees*), unless otherwise provided under any written law, these Standing Orders or by resolution of the House a select committee shall, upon appointment, elect its Chairperson and Vice-Chairperson from amongst its members.

(2) Kila mara Hoja ya kuidhinisha orodha kwa mujibu wa aya ya (1) inapotolewa katika Bunge la Taifa, hakutaruhusiwa pingamizi dhidi ya Mbunge yeyote anayependekezwa kuwa Mjumbe wa Kamati na iwapo pingamizi itakuwapo, pingamizi hiyo itachukuliwa kuwa dhidi ya Wabunge wote wanaopendekezwa.

(3) Mbunge hatakuwa mjumbe wa Kamati ya Bunge la Taifa isipokuwa kama uteuzi wake umeidhinishwa na Bunge la Taifa.

Kuondolewa kwa mjumbe kwenye kamati

176. (1) Chama Bunge kinaweza kumwondoa mjumbe kwenye Kamati baada ya kumpa mjumbe huyo fursa ya kusikilizwa.

(2) Mratibu wa Chama Bunge kilichomteua mjumbe kwenye Kamati atamwandikia Spika arifa kuhusu nia ya kumwondoa mjumbe yeyote kwenye Kamati.

(3) Spika, katika muda usiozidi siku tatu baada ya kupokea arifa kwa mujibu wa aya ya (2), atamwarifu mjumbe anayehusika kuhusu arifa hiyo.

Muundo wa Kamati

177. Kwa kuzingatia sheria yoyote, Kanuni hizi au uamuzi wa Bunge, Kamati itakuwa na idadi witiri ya wajumbe ambayo haitapungua kumi na moja na haitazidi ishirini na tatu.

Uongozi na akidi ya Kamati

178. (1) Kwa kuzingatia aya ya (2) ya Kanuni ya 173 (*Uteuzi wa Wajumbe wa Kamati*), na isipokuwa kama imeelezwa vinginevyo kwenye sheria, Kanuni hizi au uamuzi wa Bunge la Taifa, baada ya kamati kuundwa, itamchagua Mwenyekiti na Makamu Mwenyekiti kutoka miongoni mwa wajumbe wake.

(1A) A Member of the Parliamentary Service Commission appointed under Article 127(2) (c) of the Constitution shall not be eligible to stand for election as a Chairperson or Vice-Chairperson of a select committee.

(2) The Members of the Public Accounts Committee, the Public Investments Committee and the Committee on Implementation shall elect a Chairperson and Vice-Chairperson from amongst the members of the Committees nominated from a party other than a parliamentary party forming the national government.

(3) The Members of the Special Fund Accounts Committee shall elect a Chairperson and Vice-Chairperson from amongst—

- (a) independent members nominated to the Committee; or
- (b) the members of the Committee nominated from a party other than a parliamentary party forming the national government, in the absence of independent members.

(4) Unless otherwise provided under any written law, these Standing Orders or by resolution of the House, any five members of a select committee shall constitute a quorum.

Conduct of election

179. (1) The Clerk shall appoint a place, date and time for the first meeting of a Committee within seven days of its constitution by the House, or such further period as the Speaker may approve, and as soon as a majority of the Committee members are present, the Clerk shall, by a secret ballot, conduct the election of the Chairperson and Vice-Chairperson of the Committee.

(2) Whenever a vacancy occurs in the office of Chairperson or Vice-Chairperson of a select committee, the Clerk shall, within seven days of the vacancy arising, appoint a place and time for the meeting of the committee to elect the Chairperson or Vice-Chairperson.

(1A) Mjumbe wa Tume ya Huduma za Bunge aliyeteuliwa kwa mujibu wa Ibara ya 127(2)(c) ya Katiba hastahili kugombea uchaguzi wa Mwenyekiti au Makamu Mwenyekiti wa Kamati.

(2) Wajumbe wa Kamati ya Hesabu za Umma, Kamati ya Uwekezaji wa Umma na Kamati ya Utekelezaji watumchagua Mwenyekiti na Makamu Mwenyekiti miongoni mwa wajumbe wa Kamati wanateuliwa kutoka chama kisicho Chama Bunge ambacho kinaunda serikali ya taifa.

(3) Wajumbe wa Kamati ya Hesabu za Hazina Maalum watumchagua Mwenyekiti na Makamu Mwenyekiti miongoni mwa—

- (a) Wabunge huru walioteuliwa kwenye kamati; au
- (b) wajumbe wa kamati walioteuliwa kutoka kwenye Chama Bunge kisichounda serikali ya taifa iwapo hakuna wabunge huru.

(4) Isipokuwa kama imeelezwa vinginevyo kwenye sheria, Kanuni hizi au uamuzi wa Bunge la Taifa, akidi ya Kamati itakuwa wajumbe watano.

Utaratibu wa uchaguzi

179. (1) Katibu atapanga mahali, tarehe na saa ya mkutano wa kwanza wa kamati, katika muda usiozidi siku saba baada ya Bunge la Taifa kuunda kamati hiyo au muda zaidi utakaoidhinishwa na Spika, na mara tu wingi wa wajumbe utakapokuwepo, Katibu ataendesha uchaguzi wa kura ya siri kumchagua Mwenyekiti na Makamu Mwenyekiti wa kamati.

(2) Nafasi ya Mwenyekiti na Makamu Mwenyekiti wa Kamati inapokuwa wazi, katika muda usiozidi siku saba baada ya nafasi hiyo kutokea, Katibu atapanga mahali na saa ya mkutano wa Kamati ili kumchagua Mwenyekiti au Makamu Mwenyekiti.

(3) A candidate for election as Chairperson or Vice-Chairperson of a committee shall submit his or her nomination paper, in writing, to the Clerk by 5.00 pm on the day before the election.

(4) The nomination paper of a candidate shall be in the form set out in the Fifth Schedule and shall be accompanied by the name and signature of a proposer and a seconder and a declaration of the candidate's willingness to serve as a Chairperson or Vice-Chairperson.

(5) A Member shall not propose or second more than one candidate for election as Chairperson or Vice-Chairperson.

(6) The Clerk shall, as soon as practicable after the close of nominations, circulate the final list of candidates to committee members.

(7) The Clerk shall preside over the election of the Chairperson or Vice-Chairperson of a committee and shall issue each committee member with a ballot paper.

(8) A committee member who wishes to vote in the election shall print the first and last name of their candidate of choice on a ballot paper and deposit it in a ballot box provided for that purpose.

(9) The Clerk shall, at the close of voting, count the ballot papers and report the result of the ballot.

(10) If no candidate receives a majority of votes, the Clerk shall hold a further ballot excluding the candidate with the least number of votes until one candidate receives a majority of votes.

(11) A ballot paper is spoilt if, in the opinion of the Clerk, it does not identify the candidate purported to be selected by the candidate voting.

(3) Mgombeaji wa nafasi ya Mwenyekiti au Makamu Mwenyekiti wa Kamati atawasilisha kwa Katibu hati ya uteuzi kimaandishi isiwe baada ya saa 11.00 jioni ya siku inayotangulia siku ya uchaguzi.

(4) Hati ya uteuzi ya mgombeaji itakuwa na muundo unaotajwa kwenye Nyongeza ya Tano na itaambatisha jina na sahihi ya mjumbe anayempendekeza, jina na sahihi ya mwafiki wake pamoja na tamko la mgombeaji kuridhia kuhudumu nafasi ya Mwenyekiti au Makamu Mwenyekiti.

(5) Mbunge hatapendekeza au kuafiki zaidi ya mgombeaji mmoja kuchaguliwa kama Mwenyekiti au Makamu Mwenyekiti.

(6) Katibu atasambaza orodha kamili ya wgombeaji kwa wajumbe wa kamati bila kukawia baada ya kukamilika kwa shughuli ya uteuzi.

(7) Katibu ataongoza uchaguzi wa Mwenyekiti au Makamu Mwenyekiti na atampa kila mjumbe wa kamati karatasi ya kura.

(8) Mjumbe wa kamati anayetaka kupiga kura ataandika jina la kwanza na la mwisho la mgombeaji anayemchagua kwenye karatasi ya kura na kuitumbukiza kwenye sanduku la kura.

(9) Katibu atahesabu kura na kutangaza matokeo baada ya shughuli ya kupiga kura kukamilika.

(10) Iwapo hamna mgombeaji aliyepata wingi wa kura unaohitajika, Katibu ataongoza awamu nyingine ya upigaji kura bila kumjumuisha mgombeaji aliyepata kura chache zaidi, hadi mshindi atakapopatikana.

(11) Karatasi ya kura itakuwa imeharibika iwapo, kwa maoni ya Katibu karatasi hiyo haibainishi mgombeaji aliyepigiwa kura.

(12) Despite the provisions of this Part, if only one candidate is nominated for election as Chairperson or Vice-Chairperson, the Clerk shall at the expiry of the nomination period forthwith declare that candidate as elected without any vote being required.

(13) The Clerk shall make necessary preparatory arrangements for the conduct of the election of a Chairperson or Vice-Chairperson of a Committee.

Duties of Committee Chairperson

180. Subject to the provisions of these Standing Orders and the directions of the committee, a Chairperson of a committee shall—

- (a) preside at meetings of the committee;
- (b) perform the functions and exercise the powers assigned to office of the Chairperson by the committee, resolutions of the Assembly or legislation;
- (c) be the spokesperson of the committee.

Notice of meetings

181. (1) A notice of a meeting of a select committee shall be given by the Clerk to all Members of the committee showing the date, time, venue and agenda of the meeting.

(2) A notice under paragraph (1) shall be deemed to have been given upon circulation through the official email addresses of a Member, the parliamentary website, by delivery of the notice in the office of a Member or posting of the notice in the precincts of Parliament.

Sittings of select committees

182. A sitting of a committee shall be held at such place, date and time as shall be determined by the Chairperson or on a petition made by at least seven members of that committee but no meeting of a Committee may be held outside the precincts of Parliament without the approval of the Speaker.

(12) Licha ya masharti ya Sehemu hii, iwapo mgombeaji mmoja ameteuliwa kugombea nafasi ya Mwenyekiti au Makamu Mwenyekiti, mara tu shughuli ya uteuzi inapokamilika, Katibu atamtangaza mgombeaji huyo kuwa amechaguliwa bila ya kura kupigwa.

(13) Katibu atafanya maandalizi yanayohitajika kwa ajili ya uchaguzi wa Mwenyekiti au Makamu Mwenyekiti wa Kamati.

Majukumu ya Mwenyekiti wa Kamati

180. Kwa kuzingatia masharti ya Kanuni hizi na maelekezo ya Kamati, Mwenyekiti wa Kamati —

- (a) ataongoza mikutano ya Kamati;
- (b) atatekeleza majukumu na mamlaka ambayo ofisi ya Mwenyekiti imekabidhiwa na Kamati, maamuzi ya Bunge la Taifa au sheria;
- (c) atakuwa msemaji wa Kamati.

Arifa za mikutano

181. (1) Arifa ya mkutano wa Kamati itatolewa na Katibu kwa Wajumbe wote ikionyesha tarehe, saa, mahali na ajenda ya mkutano huo.

(2) Arifa kwa mujibu wa aya ya (1) itachukuliwa kuwa imetolewa pindi tu inaposambazwa kupitia anwani rasmi ya baruapepe ya Mbunge, wavuti wa Bunge, kwa kuwasilishwa kwa ofisi ya Mbunge au kubandikwa kwenye maeneo ya Bunge.

Vikao vya Kamati

182. Kikao cha Kamati kitafanyika mahali, tarehe na saa itakayoamuliwa na Mwenyekiti au kufuatia ombi lililotolewa na angalau wajumbe saba wa Kamati hiyo lakini hakuna mkutano wa Kamati utakaofanyika nje ya maeneo ya Bunge bila kibali cha Spika.

Sub-committees of select committees

183. A select committee may establish such sub-committees as it may consider necessary for the proper discharge of its functions and prescribe the quorum applicable to the sub-committees.

Member adversely mentioned not to sit

184. A Member who is adversely mentioned in a matter under deliberation by a Committee shall not be present at any meeting at which the Committee is deliberating on the matter, but the Member may appear in person or through a legal representative to adduce evidence as a witness before the Committee.

Adjournment for lack of quorum

185. 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.

Frequency of meetings

186. (1) Unless the House otherwise resolves, every select committee shall meet at least once in two months.

(2) Except for the House Business Committee, a select committee shall not meet during a sitting of the House without the written permission of the Speaker.

(3) Despite paragraph (2), a sitting of a committee shall stand suspended when a division or quorum bell is rung.

(4) The proceedings of a meeting of a committee held contrary to paragraph (2) shall be void.

Failure to attend meetings

187. (1) If a Member fails to attend four consecutive sittings of a Committee without the written permission of the Chairperson of the Committee, or the permission of the Speaker if the Member is the Chairperson, the Chairperson or the Speaker, as the case may be shall notify the Committee of the failure.

Kamati ndogo za Kamati

183. Kadri itakavyoona inafaa, Kamati inaweza kuunda Kamati ndogo kwa ajili ya uendeshaji bora wa shughuli zake na itaamua akidi itakayotumika katika Kamati hizo ndogo.

Mbunge aliyetuhumiwa hatahudhuria mikutano

184. Mbunge ambaye ametuhumiwa kwenye suala linaloshughulikiwa na Kamati hatahudhuria mkutano wowote wa Kamati unaoshughulikia suala hilo lakini anaweza kuhudhuria mwenyewe au kuwakilishwa na wakili kwa ajili ya kutoa ushahidi mbele ya Kamati.

Ahirisho kutokana na akidi kutotimia

185. Iwapo akidi haitatimia katika muda wa dakika thelathini baada ya saa iliyopangwa kwa ajili ya mkutano wa Kamati, mkutano huo utahirishwa hadi saa au siku nyingine itakayoamuliwa na Mwenyekiti wa Kamati.

Idadi ya mikutano

186. (1) Isipokuwa kama Bunge la Taifa limeamua vinginevyo, kila Kamati itakutana angalau mara moja katika miezi miwili.

(2) Isipokuwa Kamati ya Kuratibu Shughuli za Bunge la Taifa, Kamati yoyote haitakutana wakati wa kikao cha Bunge la Taifa bila ya ruhusa ya kimaandishi kutoka kwa Spika.

(3) Licha ya aya ya (2), mkutano wa Kamati utasitishwa Kengele ya Mgawanyiko au Kengele ya Akidi zinapokirizwa.

(4) Shughuli za mkutano wa Kamati zitakazotekelezwa kinyume na aya ya (2) zitakuwa batili.

Kutohudhuria mikutano

187. (1) Mjumbe yeyote asipohudhuria mikutano minne ya Kamati mfululizo bila ruhusa kwa maandishi ya Mwenyekiti wa Kamati, au ruhusa ya Spika ikiwa mjumbe huyo ni Mwenyekiti wa Kamati, Mwenyekiti huyo au Spika, kama hali itakavyokuwa, atairifu Kamati kuhusu kutohudhuria huko.

(1A) A notification under paragraph (1) shall be made through the Clerk and recorded in the minutes of the committee.

(2) The Committee having noted the notification under paragraph (1A) may resolve that the Member or the Chairperson as the case may be, be suspended from the membership of the committee and that the matter be reported to the Committee on Selection.

(3) Upon receipt of a report under paragraph (2), the Committee on Selection shall consider the matter and shall propose a replacement of the Member for approval by the House.

Absence of Chairperson and Vice-Chairperson

188. In the absence of the Chairperson and Vice-Chairperson at any meeting, the Members present shall elect one of them to take the Chair.

List of attendance

189. The names of Members present, absent with apologies or absent at each sitting of a select committee shall be entered in the minutes of that sitting.

Minutes of select committees

190. The minutes of the proceedings of a select committee shall be laid on the Table of the House with the report of the committee and may, subject to Standing Order 247 (*Custody of Journals and Records*), be published.

Powers and privileges of committees

191. (1) Committees shall enjoy and exercise all the powers and privileges bestowed on Parliament by the Constitution and statute, including the power to—

- (a) summon any person to appear before it for the purposes of giving evidence or providing information;
- (b) enforce the attendance of witnesses and examine them under oath, affirmation or otherwise;
- (c) compel the production of documents;
- (d) request for and receive papers and documents from the Government and the public; and

(1A) Arifa kwa mujibu wa aya ya (1) itatolewa kupitia kwa Katibu na kuandikwa katika kumbukumbu za Kamati.

(2) Baada ya kuzingatia arifa kwa mujibu wa aya ya (1A), Kamati inaweza kuamua kumsimamisha kwa muda Mjumbe au Mwenyekiti huyo kama hali itakavyokuwa na hatua hiyo itaripotiwa kwa Kamati ya Kuteua Wajumbe wa Kamati.

(3) Baada ya kupokea ripoti kwa mujibu wa aya ya (2), Kamati ya Kuteua Wajumbe wa Kamati itashughulikia suala hilo na kupendekeza Mbunge mwingine ili aidhinishwe na Bunge la Taifa kuchukua nafasi hiyo.

Kutokuwepo kwa Mwenyekiti na Makamu Mwenyekiti

188. Iwapo Mwenyekiti na Makamu Mwenyekiti hawapo katika mkutano wowote wa Kamati, Wajumbe waliopo watamchagua mmoja wao kuongoza mkutano.

Orodha ya mahudhuria

189. Majina ya Wajumbe waliohudhuria, wenye udhuru au wasiohudhuria mkutano wa Kamati yataorodheshwa katika kumbukumbu za mkutano huo.

Kumbukumbu za Kamati

190. Kumbukumbu za mikutano ya Kamati pamoja na ripoti ya Kamati zitawasilishwa kwenye Meza ya Bunge la Taifa na zinaweza kuchapishwa kwa mujibu wa masharti ya Kanuni ya 247 (*Hifadhi ya Majarida na Rekodi za Bunge la Taifa*).

Mamlaka na Haki za Kamati

191. (1) Kamati zitakuwa na mamlaka na haki zote ambazo Bunge limepewa na Katiba na sheria, ikijumuisha mamlaka ya —

- (a) kumwagiza mtu yeyote kufika mbele ya Kamati kwa ajili ya kutoa ushahidi au taarifa;
- (b) kuhakikisha mashahidi wanafika mbele ya Kamati na kuwahoji kwa kiapo, kukiri kusema ukweli au vinginevyo;
- (c) kutoa amri ya kuwasilisha nyaraka;
- (d) kuomba na kupokea nyaraka kutoka kwa Serikali na umma; na

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

(2) The oath to be sworn or affirmation to be made by a witness appearing before a Committee shall be in the form set out in the Sixth Schedule.

(3) A summons under paragraph (1) shall be—

(a) issued by the Clerk on the direction of the Speaker or the chairperson of a committee acting in accordance with a resolution of the committee; and

(b) in the form set out in the Seventh Schedule.

(4) The summons shall be served by a member of staff or a police officer who is duly authorized by the Clerk by delivering a copy of the summons—

(a) to the person mentioned in the summons; or

(b) at that person's usual or last known place of residence, employment or business or left with a person who is over the age of eighteen years and who resides or is employed at that place.

(5) Where the summons is to be served on a corporation, the summons may be served—

(a) on the secretary, director or other officer authorised by the corporation; or

(b) if the officer serving the summons is unable to find any of the officers of the corporation mentioned in subparagraph (a)—

(i) by leaving it at the registered office of the corporation;

(ii) by sending it by prepaid registered post or by a licensed courier service provider approved by the court to the registered postal address of the corporation;

(e) kutoa agizo au ombi la kuwahoji mashahidi walioko nje ya nchi.

(2) Kiapo au kukiri kusema ukweli mbele ya Kamati kutafanywa na shahidi aliyefika mbele ya Kamati kwa namna inayoelezwa katika Nyongeza ya Sita.

(3) Hati ya Wito itakayotolewa kwa mujibu wa aya ya (1)—

(a) itatolewa na Katibu kwa maelekezo ya Spika au Mwenyekiti wa Kamati kwa kuzingatia uamuzi wa Kamati; na

(b) itakuwa katika muundo unaoelezwa katika Nyongeza ya Saba.

(4) Hati ya Wito itawasilishwa na mfanyakazi wa Bunge au ofisa wa polisi aliyeidhinishwa na Katibu kuwasilisha nakala ya Hati ya Wito —

(a) kwa mtu anayetajwa kwenye Hati ya Wito; au

(b) makazi ya kawaida au mahali panapofahamika kuwa makazi ya mwisho ya mtu huyo au eneo lake la kazi au biashara au kumpatia mtu yeyote mwenye umri wa zaidi ya miaka kumi na nane ambaye anaishi au amejiriwa mahali hapo.

(5) Pale ambapo Hati ya Wito imetolewa kwa shirika, hati hiyo inaweza kuwasilishwa —

(a) kwa katibu wa shirika, mkurugenzi au ofisa yeyote aliyeidhinishwa na shirika hilo; au

(b) ikiwa afisa anayewasilisha Hati ya Wito ameshindwa kuwapata maofisa wa shirika waliotajwa kwenye aya ya (5) (a)—

(i) ataiacha kwenye ofisi rasmi ya shirika hilo;

(ii) ataituma kama barua iliyosajiliwa au kutuma kwa anwani ya posta ya shirika hilo kupitia kwa tarishi aliyeidhinishwa na mahakama;

- (iii) if there is no registered office and no registered postal address of the corporation, by leaving it at the place where the corporation carries on business; or
- (iv) by sending it by registered post to the last known postal address of the corporation.

(6) The serving officer in all cases in which summons has been served under this Standing Order shall swear and annex or cause to be annexed to the original summons an affidavit of service stating the time when and the manner in which summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of summons.

(7) The affidavit of service shall be in the form set out in the Eighth Schedule with such modifications as may be necessary.

(8) A return by a person who serves a summons under this Standing Order shall be prima facie proof of the service of the summons.

(9) A person requested or summoned in terms of this Standing Order shall be paid such amount of money as shall be approved by the Clerk as reimbursement for expenses incurred.

Procedure if witness fails to appear

191A.(1) Where a witness summoned does not appear, or appears but fails to satisfy the House or committee, the House or Committee may impose upon the witness a fine not exceeding five hundred thousand shillings, having regard to the witness' condition in life and all the circumstances of the case.

(2) A person may pay the fine under paragraph (1) to the Clerk.

(3) Parliament or its committee may order the arrest of a witness who fails to honour a summons for the purpose of compelling his or her attendance.

- (iii) ataiacha mahali ambapo shirika hilo huendesha shughuli zake iwapo hakuna ofisi rasmi wala anwani ya posta iliyosajiliwa; au

- (iv) ataituma kama barua iliyosajiliwa, kwa anwani ya mwisho inayofahamika ya shirika hilo.

(6) Hati ya Wito inapotelewa kwa namna iliyoelezwa kwenye Kanuni hii, ofisa anayewasilisha hati hiyo ataapa na kuambatisha au kusababisha kuambatishwa kwa Hati ya Kiapo ya Kupokeza kwenye Hati ya Wito asilia ikieleza saa na namna hati ya wito ilivyowasilishwa pamoja na jina na anwani ya mtu aliyepokea (iwapo ipo) na aliyeshuhudia kupokewa kwa hati hiyo.

(7) Hati ya Kiapo ya Kupokeza itakuwa katika muundo ulioelezwa kwenye Nyongeza ya Nane na inaweza kufanyiwa mabadiliko kadri itakavyohitajika.

(8) Ripoti ya mtu aliyewasilisha Hati ya Wito kwa mujibu wa Kanuni hii itakuwa ni ushahidi bayana kuwa hati hiyo imewasilishwa.

(9) Mtu yeyote aliyealikwa au kuitwa kufika mbele ya Kamati kwa mujibu wa Kanuni hii atarejeshewa pesa alizotumia kama gharama zake itakavyoidhinishwa na Katibu.

Utaratibu shahidi asipohudhuria

191A.(1) Pale ambapo shahidi atakosa kufika au atafika mbele ya Kamati lakini akatoa ushahidi ambao hauridhishi Bunge la Taifa au Kamati, Bunge la Taifa au Kamati inaweza kumtoza shahidi huyo faini isiyozidi shilingi laki tano ikizingatia hali ya maisha ya shahidi huyo na mambo yoyote yanayohusiana na hali hiyo.

(2) Faini itakayotozwa kwa mujibu wa aya ya (1) italipwa kwa Katibu wa Bunge la Taifa.

(3) Bunge la Taifa au Kamati inaweza kutoa amri ya kukamatwa kwa shahidi atakayekaidi Hati ya Wito ili kumlazimisha kuhudhuria.

Temporary absence of a Member of a Select Committee

192. (1) Unless otherwise provided for in these Standing Orders, in the event that any member of a Committee is absent or otherwise unable to attend the sittings of the committee, the party whip of that Member's party may, with permission of the Speaker, appoint another Member to act in that Member's place during the period of such absence or inability.

(2) A Member shall be considered absent or otherwise unable to attend a sitting in terms of paragraph (1) if the Member is out of the country on official parliamentary business or is indisposed.

Vote of no confidence in the Chairperson or Vice-Chairperson

193. (1) A Committee may, by a resolution supported by a majority of its members, resolve that it has no confidence in the Chairperson or Vice-Chairperson and a Member designated by the committee for that purpose shall thereupon report the resolution to the Liaison Committee which shall, as soon as it is practicable, direct the Clerk to conduct an election for the Chairperson or Vice-Chairperson, as the case may be, in accordance with Standing Order 179 (*Conduct of election*).

(2) The Members desiring to make a resolution under paragraph (1) shall, through the Clerk, serve the Chairperson or Vice-Chairperson with a written notice citing grounds for the intended vote of no confidence and may, if they constitute a majority, request the Clerk to call for a meeting at the expiry of three days after giving the notice.

(3) A notice by Members, under paragraph (2) shall be deemed to have been given upon delivery to the Chairperson's or Vice-Chairperson's official email address and by delivery of the notice to the office of the Chairperson or Vice-Chairperson, as the case may be.

Mjumbe asipohudhuria kwa muda

192. (1) Isipokuwa kama Kanuni hizi zimeeleza vinginevyo, iwapo Mjumbe yeyote wa Kamati hayupo au hawezi kuhudhuria mikutano ya Kamati, mratibu wa chama chake anaweza, kwa ruhusa ya Spika, kumchagua Mbunge mwingine kukaimu nafasi yake katika kipindi ambacho hayupo au ameshindwa kuhudhuria mikutano.

(2) Mjumbe atachukuliwa kuwa hayupo au ameshindwa kuhudhuria mikutano kwa mujibu wa aya ya (1) ikiwa Mjumbe huyo yuko nje ya nchi kwa shughuli rasmi za Bunge au kwa sababu ya kuugua.

Kura ya kutokuwa na imani na Mwenyekiti au Makamu Mwenyekiti

193. (1) Kamati inaweza, kwa uamuzi unaoungwa mkono na wingi wa wajumbe wa Kamati hiyo, kuamua kwamba haina imani na Mwenyekiti au Makamu Mwenyekiti, na Mjumbe atakayeteuliwa na Kamati kwa ajili hiyo atapeleka ripoti hiyo kwa Kamati ya Kuratibu Shughuli za Kamati ambayo, bila kukawia, itamwelekeza Katibu kufanya uchaguzi wa Mwenyekiti au Makamu Mwenyekiti kwa mujibu wa Kanuni ya 179 (*Utaratibu wa Uchaguzi*), kutegemea hali itakavyokuwa.

(2) Wajumbe wanaokusudia kufanya uamuzi kwa mujibu wa aya ya (1) watampa Mwenyekiti au Makamu Mwenyekiti arifa ya kimaandishi kupitia kwa Katibu, wakibainisha misingi ya kusudio la kupiga kura ya kutokuwa na imani na iwapo watatimiza wingi wa wajumbe wa Kamati, watamwomba Katibu kuitisha mkutano siku tatu baada ya arifa kutolewa.

(3) Arifa kutoka kwa wajumbe kwa mujibu wa aya ya (2) itachukuliwa kuwa imetolewa itakapowasilishwa kwa anwani rasmi ya baruapepe ya Mwenyekiti au Makamu Mwenyekiti au ikishawasilishwa kwenye ofisi ya Mwenyekiti au Makamu Mwenyekiti, kutegemea hali itakavyokuwa.

(4) A notice by the Clerk for a meeting under paragraph (2) shall be deemed to have been given upon circulation of the notice in the offices of Members and posting on notice boards in the precincts of Parliament.

Original vote

194. (1) The Chairperson of a select committee other than the House Business Committee shall have an original vote but not a casting vote.

(2) Paragraph (1) shall not apply to the Chairperson of the House Business Committee, who shall have neither an original nor a casting vote.

Attendance by non-members of select committee

195. (1) A Member may attend a meeting of any committee of the House of which he or she is not a member, but such Member shall not be entitled to vote on any matter before the committee.

(2) A Member who intends to participate in a meeting of a committee of the House of which he or she is not a member shall submit a written request to the Chairperson of the committee at least twenty-four hours before the meeting, or such other period the Chairperson may in exceptional circumstances allow.

(3) The request shall indicate any matter which the Member intends to raise at the meeting.

(4) Where the Chairperson allows a request for participation under paragraph (2), the Member may attend the meeting and raise any matters indicated in his or her request.

(5) The Chairperson shall, before allowing a non-member to participate in a matter before the committee, give priority to the Members of the Committee.

(4) Arifa ya mkutano itakayotolewa na Katibu kwa mujibu wa aya ya (2) itachukuliwa kuwa imetolewa itakapokuwa imesambazwa kwa ofisi za Wabunge na kuwekwa kwenye bao za matangazo zilizo katika maeneo ya Bunge.

Kura asilia

194. (1) Mwenyekiti wa Kamati isipokuwa Kamati ya Kuratibu Shughuli za Bunge la Taifa atakuwa na kura asilia wala siyo kura ya uamuzi.

(2) Aya ya (1) haitatumika kwa Mwenyekiti wa Kamati ya Kuratibu Shughuli za Bunge la Taifa ambaye hana kura asilia wala kura ya uamuzi.

Kuhudhuria mikutano ya Kamati kwa Wabunge wasio wajumbe wa Kamati

195. (1) Mbunge yeyote anaweza kuhudhuria mkutano wa Kamati yoyote ya Bunge la Taifa ambapo yeye si mjumbe, ila Mbunge huyo hatakuwa na haki ya kupiga kura kuamua suala lolote ambalo Kamati inalishughulikia.

(2) Mbunge yeyote anayekusudia kushiriki mkutano wa Kamati ya Bunge la Taifa ambapo yeye si mjumbe atawasilisha ombi kimaandishi kwa Mwenyekiti wa Kamati angalau saa ishirini na nne kabla ya mkutano huo kufanyika au muda mwingine wowote ambao Mwenyekiti anaweza kuruhusu katika hali za kipekee.

(3) Ombi hilo litataja suala lolote ambalo Mbunge huyo anakusudia kulitoa kwenye mkutano huo.

(4) Pale ambapo Mwenyekiti anaidhinisha ombi la Mbunge kushiriki kwenye mkutano wa Kamati kwa mujibu wa aya ya (2), Mbunge huyo anaweza kuhudhuria mkutano na kuwasilisha masuala yoyote aliyotaja kwenye ombi lake.

(5) Mwenyekiti atawapa kipaumbele wajumbe wa Kamati kabla ya kumruhusu Mbunge ambaye si mjumbe wa Kamati kuchangia suala linaloshughulikiwa na Kamati.

(6) The Chairperson may order a non-member of the committee to withdraw from a meeting for disorderly conduct.

Procedure in select committees

196. (1) Except as and to the extent to which the chairperson may otherwise direct for the purpose of facilitating full consideration and discussion of a matter referred to a Committee, the procedure in a select committee shall be as nearly as possible, the same as that in Committee of the whole House.

(2) Any question arising in a select committee shall be decided by vote and the resolution on any such vote shall constitute the decision of the select committee on that question.

(3) The minutes of a select committee shall be kept in the same form as the Votes and Proceedings of a Committee of the whole House and in such other form as may be prescribed in the Committee Manual.

(4) Where a vote on a question is not unanimous, the names of the members voting for and against the question and those abstaining from voting, respectively, shall be recorded in the minutes.

(5) Except as the Speaker may otherwise direct, a Committee may sit notwithstanding the adjournment of the House.

Limitation of mandate

197. (1) The deliberations of a select committee shall be confined to the mandate of the committee and any extension or limitation of that mandate as may be directed by the Assembly and, in the case of a select committee on a Bill, to the Bill committed to it and relevant amendments.

(2) In the exercise of its functions, a select committee may not consider any matter that is not contemplated within the mandate of the National Assembly under the Constitution.

(6) Mwenyekiti anaweza kumwamuru Mbunge asiye mjumbe wa Kamati kuondoka kwenye mkutano kwa sababu ya utovu wa nidhamu.

Utaratibu katika Kamati

196. (1) Isipokuwa na kwa kadri Mwenyekiti atakavyoelekeza kwa lengo la kurahisisha kushughulikia suala lililokabidhiwa Kamati, utaratibu utakaoutumika kwenye Kamati utakuwa kama ule unaotumika katika Kamati ya Bunge Zima kadri itakavyowezezana.

(2) Suala lolote litakalojitokeza kwenye Kamati litaamuliwa kwa kura na uamuzi wowote utakaofikiwa kupitia kura hiyo utakuwa ni uamuzi wa Kamati kuhusu suala hilo.

(3) Kumbukumbu za Kamati zitahifadhiwa kwa namna ambayo Kumbukumbu za Kamati ya Bunge Zima zinahifadhiwa na kwa namna nyingine yoyote kama itakavyoelekezwa kwenye Mwongozo wa Kamati za Bunge la Taifa.

(4) Pale ambapo kura ya uamuzi wa suala lolote imegawanyika, majina ya wajumbe wanaounga na wanaopinga suala hilo na wanaopiga kura ya mzio yataorodheshwa kwenye kumbukumbu za Kamati.

(5) Isipokuwa kama Spika ataelekeza vinginevyo, Kamati inaweza kufanya mikutano hata kama Bunge la Taifa limeahirishwa.

Udhibiti wa wajibu

197. (1) Majadiliano ya Kamati yatajikita kwenye wajibu wa Kamati na nyongeza au mipaka yoyote kwenye wajibu huo kama itakavyoelekezwa na Bunge la Taifa na iwapo ni Kamati inayoshughulikia Mswada, itajikita katika Mswada na marekebisho yanayohusika.

(2) Kamati inapotekeleza majukumu yake haitashughulikia masuala yaliyo nje ya wajibu wa Bunge la Taifa kwa mujibu wa Katiba.

Public access to meetings of select committees

198. (1) All committee proceedings shall be open to the public unless in exceptional circumstances the Speaker has determined that there are justifiable reasons for the exclusion of the public.

(2) The Committee may adjourn to seek leave of the Speaker to exclude the public.

Reports of Select Committees

199. (1) The report of a select committee shall be prepared and kept in the same form as the Votes and Proceedings of a Committee of the whole House and in such other form as may be prescribed in the Committee Manual.

(2) The report of a select committee having been adopted by a majority of the Members, shall be signed by the Chairperson on behalf of the Committee.

(3) If the Chairperson is absent or is not readily available, the Vice-Chairperson shall sign the report under paragraph (1), and in the absence of both the Chairperson and the Vice-Chairperson, the committee shall nominate another Member to sign the report.

(4) A select committee shall adopt its report in a meeting attended by a majority of its Members.

(5) A report having been adopted by a majority of Members, a minority or dissenting report may be appended to the report by any Member(s) of the Committee.

(6) A report of a select committee including any minority report, together with the minutes of the proceedings of the committee, and with such note or record of any evidence by the committee as the committee may deem fit, shall be laid on the Table of the House by the Chairperson of the select committee, or the Vice-Chairperson or by a Member authorized by the committee on its behalf within fourteen days of the conclusion of its proceedings.

Mikutano ya Kamati kuwa wazi kwa umma

198. (1) Mikutano yote ya Kamati itakuwa wazi kwa umma isipokuwa pale ambapo katika hali za kipekee, Spika amebaini kuwa kuna sababu za kuridhisha kutoruhusu mkutano kuwa wazi kwa umma.

(2) Kamati inaweza kuahirisha mkutano kwa ajili ya kuomba idhini ya Spika ili kutoruhusu mkutano kuwa wazi kwa umma.

Ripoti za Kamati

199. (1) Ripoti ya Kamati itaandaliwa na kuhifadhiwa kwa namna ambayo Kumbukumbu za Kamati ya Bunge Zima zinahifadhiwa na kwa namna nyingine yoyote itakayoelekezwa kwenye Mwongozo wa Kamati za Bunge la Taifa.

(2) Ripoti ya Kamati ikisharidhiwa kwa wingi wa wajumbe, itatiwa sahihi na Mwenyekiti kwa niaba ya Kamati.

(3) Iwapo Mwenyekiti wa Kamati hayupo au hapatikani, Makamu Mwenyekiti atatia sahihi ripoti kwa mujibu wa aya ya (1), na iwapo Mwenyekiti na Makamu Mwenyekiti hawapo, Kamati itamteua mjumbe mwingine kutia sahihi ripoti hiyo.

(4) Kamati itaridhia ripoti yake kwenye mkutano utakaohudhuriwa na wingi wa wajumbe wa kamati hiyo.

(5) Ripoti ikisharidhiwa kwa wingi wa wajumbe, inaweza kuambatishwa ripoti ya mjumbe au wajumbe wa kamati wenye maoni tofauti.

(6) Ripoti ya Kamati ikijumuisha ripoti yoyote ya wenye maoni tofauti, na kumbukumbu za mikutano na rekodi ya ushahidi uliopokelewa na Kamati, kadri itakavyoamua, itawasilishwa katika Meza na Mwenyekiti au Makamu Mwenyekiti au Mbunge aliyeidhinishwa na Kamati kuiwasilisha kwa niaba ya Kamati, katika muda usiozidi siku kumi na nne baada ya Kamati kukamilisha shughuli husika.

(7) Within forty eight hours after the report has been laid on the Table of the House, the Clerk shall publish the report in the parliamentary website and circulate copies to Members.

Progress reports

200. (1) Unless a more regular interval is prescribed under any written law or these Standing Orders, each select committee shall submit half yearly progress reports to the Liaison Committee.

(2) The Liaison Committee shall, within twenty one days, compile the reports under paragraph (1) and submit a report to the House.

Exit Reports

200A. (1) A Committee which is unable to complete its work before the expiry of its term shall table an exit report to the Assembly detailing reasons for such inability.

(2) The report shall be made available to the succeeding Committee which may consider it in preparing its work plan.

Reports on House Resolutions

201. Within sixty days of a resolution of the House or adoption of a report of a select committee, the relevant Cabinet Secretary under whose portfolio the implementation of the resolution falls shall provide a report to the relevant committee of the House in accordance with Article 153(4)(b) of the Constitution.

Joint Sitzings of Committees of the Assembly

202. (1) Two committees of the Assembly considering similar matters may, with the approval of the Speaker, hold joint sittings.

(7) Katika muda usiozidi saa arobaini na nane baada ya ripoti kuwasilishwa katika Meza, Katibu ataweka ripoti hiyo kwenye wavuti wa Bunge na kusambaza nakala za ripoti hiyo kwa Wabunge.

Ripoti za hatua zilizofikiwa

200. (1) Isipokuwa kama sheria yoyote au Kanuni hizi zimetaja vipindi maalum, kila nusu ya mwaka, kila Kamati itaiwasilishia Kamati ya Kuratibu Shughuli za Kamati ripoti ya hatua zilizofikiwa na kamati.

(2) Kamati ya Kuratibu Shughuli za Kamati, katika muda usiozidi siku ishirini na moja, itaandaa ripoti inayojumuisha ripoti zilizopokelewa kwa mujibu wa aya ya (1) na kuiwasilisha katika Bunge la Taifa.

Ripoti za mwisho wa muhula

200A. (1) Kamati ambayo haitaweza kukamilisha kazi yake kabla ya mwisho wa muhula wake itawasilisha katika Bunge la Taifa ripoti ya mwisho wa muhula wake ikieleza sababu za kutoweza kukamilisha kazi iliyokabidhiwa.

(2) Ripoti hiyo itakabidhiwa Kamati itakayofuata na inaweza kuzingatia ripoti hiyo inapoandaa mpango kazi wake.

Ripoti za maamuzi ya Bunge la Taifa

201. Katika muda usiozidi siku sitini baada ya Bunge la Taifa kupitisha uamuzi au kuiridhia ripoti ya kamati, Waziri anayehusika na utekelezaji wa uamuzi huo ataripoti kwa kamati inayohusika kulingana na Ibara ya 153(4)(b) ya Katiba.

Mikutano ya Pamoja ya kamati za Bunge la Taifa

202. (1) Kamati mbili za Bunge la Taifa zinazoshughulikia masuala yanayofanana zinaweza kufanya mikutano ya pamoja kwa kibali cha Spika.

(2) A joint sitting of the committees shall be chaired by one of the Chairpersons of the respective committees, and the Chairperson shall be determined based on the ranking order set out under paragraph (2) of Standing Order 3 (*Proceedings on assembly of a new House*) and the second ranking Member of the other committee shall deputise.

(3) The quorum of a joint sitting of two or more committees shall be the number obtained by adding the respective quorum of each committee, excluding the Chairpersons.

(4) The report of a joint sitting of two or more committees shall not be adopted unless supported by a resolution of a majority of the total membership of the committees.

Approval of joint sittings with a Senate Committee

202A. (1) A Committee may, with the written permission of the Speaker, hold joint sittings with a Committee of the Senate to consider a matter related to their respective mandates.

(2) The Speaker shall notify the House of the approval under paragraph (1).

Engagement of experts

203. A Committee may, with the approval of the Speaker, engage such experts as it may consider necessary in furtherance of its mandate.

2) Mkutano wa pamoja wa Kamati utaongozwa na mmoja wa Wenyekiti wa kamati hizo na Mwenyekiti atateuliwa kwa kuzingatia muda ambao Mbunge amehudumu kwa mujibu wa mpangilio unaoorodheshwa kwenye aya ya (2) ya Kanuni ya 3 (*Shughuli kwenye kikao cha kwanza cha Bunge jipya la Taifa*) na Mjumbe wa Kamati hiyo nyingine anayefuatia kwa muda wa kuhudumu atakuwa Makamu Mwenyekiti.

(3) Akidi ya mkutano wa pamoja wa kamati mbili au zaidi itakuwa jumla ya idadi ya akidi ya kila Kamati, bila kuwajumuisha Wenyekiti.

(4) Ripoti ya mkutano wa pamoja ya kamati mbili au zaidi haitaridhiwa isipokuwa kwa uamuzi ambao umeungwa mkono na wingi wa wajumbe wote wa kamati hizo.

Ruhusa ya mikutano ya pamoja na Kamati ya Seneti

202A. (1) Kwa ruhusa ya kimaandishi ya Spika, kamati ya Bunge la Taifa inaweza kufanya mikutano ya pamoja na kamati ya Seneti ili kushughulikia suala linalohusiana na wajibu wa kamati hizo.

(2) Spika atalifahamisha Bunge la Taifa kuhusu ruhusa aliyotoa kwa mujibu wa aya ya (1).

Kushirikisha wataalamu

203. Kwa ruhusa ya Spika, kamati inaweza kuwashirikisha wataalamu kadri itakavyoona inafaa kwa utekelezaji wa wajibu wake.

Committee on Appointments

204. (1) There shall be a select committee to be designated the Committee on Appointments to be appointed by the House, consisting of the Speaker as a Chairperson, the Deputy Speaker, the Leader of the Majority Party, the Leader of the Minority party, the Deputy Leader of the Majority Party, the Deputy Leader of the Minority party and not more than twenty two other Members nominated by the House Business Committee, on the basis of proportional Party Membership in the House taking into consideration the numerical strength of the Parties and interests of Independent Members.

(2) The Committee on Appointments shall be appointed within seven days on assembly of a new House and shall serve for period of three years and that appointed thereafter shall serve for the remainder of the term of the Assembly.

(3) In the absence of the Speaker, the Committee shall elect a Member, from amongst its members, to chair the meeting.

(4) The Committee on Appointments shall consider, for approval by the House, appointments under Articles 152(2) of the Constitution (*Cabinet Secretaries*).

(5) The quorum of the Committee on Appointments shall be one half of the Members of the Committee, but the Speaker shall not be counted for the purposes of quorum and shall not vote.

Public Accounts Committee

205. (1) There shall be a select committee to be designated the Public Accounts Committee.

(2) The Public Accounts Committee shall be responsible for the examination of the accounts showing the appropriations of the sum voted by the House to meet the public expenditure and of such other accounts laid before the House as the Committee may think fit.

Kamati ya Uteuzi

204. (1) Kutakuwa na kamati itakayoitwa Kamati ya Uteuzi itakayoteuliwa na Bunge la Taifa, ambayo itakuwa na Spika kama Mwenyekiti, Naibu Spika, Kiongozi wa Chama cha walio Wengi, Kiongozi wa Chama cha walio Wachache, Naibu wa Kiongozi wa chama cha walio Wengi, Naibu wa Kiongozi wa Chama cha walio Wachache na Wabunge wengine wasiozidi ishirini na wawili ambao watapendekezwa na Kamati ya Kuratibu Shughuli za Bunge la Taifa, kwa kuzingatia wingi wa idadi ya Wabunge katika kila chama na maslahi ya Wabunge Huru.

(2) Kamati ya Uteuzi itateuliwa katika muda usiozidi siku saba baada ya kikao cha kwanza cha Bunge jipya na itahudumu kwa muda wa miaka mitatu na kamati itakayoteuliwa baada ya hapo itahudumu kwa muda uliosalia wa muhula wa Bunge la Taifa.

(3) Ikiwa Spika hayupo, Kamati itamteua mjumbe miongoni mwao kuongoza mkutano.

(4) Kamati ya Uteuzi itashughulikia uteuzi uliotajwa katika Ibara ya 152(2) ya Katiba (*Mawaziri*) kwa ajili ya kuidhinishwa na Bunge la Taifa.

(5) Akidi ya Kamati ya Uteuzi itakuwa nusu ya wajumbe wa Kamati lakini Spika hatahesabiwa kwa ajili ya kutimiza akidi na hatapiga kura.

Kamati ya Hesabu za Umma

205. (1) Kutakuwa na kamati itakayoitwa Kamati ya Hesabu za Umma.

(2) Kamati ya Hesabu za Umma itakuwa na jukumu la kuchunguza hesabu zinazoonyesha matumizi ya fedha yaliyoidhinishwa na Bunge la Taifa kwa ajili ya kukidhi matumizi ya serikali na hesabu nyingine zitakazowasilishwa katika Bunge la Taifa kadri Kamati itakavyoona inafaa.

(3) The Public Accounts Committee shall consist of a Chairperson and not more than eighteen other members.

(4) In the Membership of the Public Accounts Committee, parties other than parliamentary parties forming the national government shall have a majority of one.

(5) The Public Accounts Committee constituted immediately following the general elections shall serve for the term of that Parliament.

Special Funds Accounts Committee

205A. (1) There shall be a select committee to be designated the Special Funds Accounts Committee.

(2) The Committee shall be responsible for the examination of the accounts of—

- (a) the Equalization Fund;
- (b) the Political Parties Fund;
- (c) the Judiciary Fund;
- (d) the National Government Constituencies Development Fund; and,
- (e) such other Fund established by law as the Speaker may direct.

(3) The Committee shall consist of a Chairperson who shall, so far as is practicable, be an Independent, and not more than eighteen other members.

(4) In the Membership of the Committee, parties other than parliamentary parties forming the national government shall have a majority of one.

(5) The Special Funds Accounts Committee constituted immediately following the general election shall serve for the term of that Parliament.

Public Investments Committee

206. (1) There shall be a select committee to be designated the Public Investments Committee.

(3) Kamati ya Hesabu za Umma itajumuisha Mwenyekiti na wajumbe wengine wasiozidi kumi na wanane.

(4) Vyama Bunge visivyounda Serikali ya Taifa vitakuwa na mjumbe mmoja zaidi ya Vyama Bunge vinavyounda Serikali ya Taifa kwenye idadi ya wajumbe wa Kamati ya Hesabu za Umma.

(5) Kamati ya Hesabu za Umma itakayoteuliwa mara baada ya uchaguzi mkuu itahudumu muhula wote wa Bunge hilo.

Kamati ya Hesabu za Hazina Maalum

205A. (1) Kutakuwa na kamati itakayoitwa Kamati ya Hesabu za Hazina Maalum.

(2) Kamati hii itawajibikia ukaguzi wa hesabu za—

- (a) Hazina ya Usawazishaji;
- (b) Hazina ya vyama vya kisiasa;
- (c) Hazina ya Mahakama;
- (d) Hazina ya Serikali ya Taifa kwa Maendeleo ya Maeneo Bunge; na,
- (e) Hazina nyingine yoyote itakayoanzishwa kwa sheria kadri Spika atakavyoelekeza.

(3) Kamati itakuwa na Mwenyekiti ambaye, kadri itakavyowezezana, atakuwa Mbunge Huru, na wajumbe wengine wasiozidi kumi na wanane.

(4) Vyama, isipokuwa Vyama Bunge vinavyounda Serikali ya Taifa, vitakuwa na mjumbe mmoja zaidi katika idadi ya wajumbe wa Kamati ya Hesabu za Hazina Maalum.

(5) Kamati ya Hesabu za Hazina Maalum itakayoteuliwa mara baada ya uchaguzi mkuu itahudumu muhula wote wa Bunge hilo.

Kamati ya Uwekezaji wa Umma

206. (1) Kutakuwa na kamati itakayoitwa Kamati ya Uwekezaji wa Umma.

(2) The Public Investments Committee shall be responsible for the examination of the working of the public investments on the basis of their audited reports and accounts.

(3) The Public Investments Committee shall consist of a Chairperson and not more than eighteen other members.

(4) In the Membership of the Public Investments Committee, parties other than parliamentary parties forming the national government shall have a majority of one.

(5) The Public Investments Committee constituted immediately following the general elections shall serve for the term of that Parliament.

(6) The functions of the Public Investments Committee shall be to—

- (a) examine the reports and accounts of the public investments;
- (b) examine the reports, if any, of the Auditor General on the public investments; and
- (c) examine, in the context of the autonomy and efficiency of the public investments, whether the affairs of the public investments, are being managed in accordance with sound financial or business principles and prudent commercial practices.

(7) Despite paragraph (6), the Public Investments Committee shall not examine any of the following—

- (a) matters of major Government policy as distinct from business or commercial functions of the public investments;
- (b) matters of day-to-day administration; and,
- (c) matters for the consideration of which machinery is established by any special statute under which a particular public investment is established.

(2) Kamati ya Uwekezaji wa Umma itawajibikia tathmini ya utendakazi wa uwekezaji wa umma kwa kuzingatia ripoti na hesabu zilizokaguliwa.

(3) Kamati ya Uwekezaji wa Umma itakuwa na Mwenyekiti pamoja na wajumbe wengine wasiozidi kumi na wanane.

(4) Vyama, isipokuwa Vyama Bunge vinavyounda Serikali ya Taifa, vitakuwa na mjumbe mmoja zaidi katika idadi ya wajumbe wa Kamati ya Uwekezaji wa Umma.

(5) Kamati ya Uwekezaji wa Umma itakayoteuliwa mara baada ya uchaguzi mkuu itahudumu muhula wote wa Bunge hilo.

(6) Majukumu ya Kamati ya Uwekezaji wa Umma yatakuwa—

- (a) kutathmini ripoti na hesabu za uwekezaji wa umma;
- (b) kutathmini ripoti za Mkaguzi Mkuu wa Hesabu za Serikali kuhusu uwekezaji wa umma, iwapo zipo; na
- (c) kutathmini, kwa misingi ya uhuru na ufanisi wa uwekezaji wa umma, ili kubaini iwapo masuala yanayohusu uwekezaji wa umma yanasimamiwa kwa kuzingatia kanuni za kifedha au kibiashara pamoja na taratibu zinazofaa za kibiashara.

(7) Licha ya aya ya (6), Kamati ya Uwekezaji wa Umma haitatathmini —

- (a) masuala yanayohusu sera kuu ya Serikali ambayo hayahusiani na biashara au shughuli za kibiashara za uwekezaji wa umma;
- (b) masuala ya usimamizi wa kawaida; na
- (c) masuala ya uwekezaji wa umma ambayo utaratibu wa kuyashughulikia umewekwa kwa mujibu wa sheria mahususi iliyoanzisha uwekezaji huo.

Budget and Appropriations Committee

207. (1) There shall be a select Committee to be known as the Budget and Appropriations Committee.

(2) The Committee shall consist of a Chairperson, and not more than twenty-six other Members.

(3) The functions of the Committee shall be to—

- (a) investigate, inquire into and report on all matters related to coordination, control and monitoring of the national budget;
- (b) discuss and review the estimates and make recommendations to the House;
- (c) examine the Budget Policy Statement presented to the House;
- (d) examine Bills related to the national budget, including Appropriations Bills; and
- (e) evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

(4) The Budget and Appropriations Committee constituted by the House immediately following the general election shall serve for a period of three calendar years and that constituted thereafter shall serve for the remainder of the parliamentary term.

(5) The Chairperson and eight members of the Budget and Appropriations Committee shall constitute a quorum.

(5A) The Committee may establish such subcommittees as it may consider necessary for the discharge of its functions including a subcommittee on legislative review.

(6) The Committee shall invite Chairpersons of all Departmental Committees to make presentations during the consideration of the budget.

Kamati ya Bajeti na Uidhinishaji wa Matumizi

207. (1) Kutakuwa na kamati itakayoitwa Kamati ya Bajeti na Uidhinishaji wa Matumizi.

(2) Kamati itakuwa na Mwenyekiti na wajumbe wengine wasiozidi ishirini na sita.

(3) Majukumu ya Kamati hii yatakuwa—

- (a) kupeleleza, kuchunguza na kuripoti kuhusu masuala yote yanayohusiana na ushirikishi, udhhibiti na ufuatiliaji wa bajeti ya taifa;
- (b) kujadili na kuhakiki makadirio ya bajeti na kutoa mapendekezo kwa Bunge la Taifa;
- (c) kutathmini Taarifa ya Sera ya Bajeti iliyowasilishwa kwa Bunge la Taifa;
- (d) kutathmini Miswada inayohusiana na bajeti, ikijumuisha Miswada ya Kuidhinisha Matumizi ya Fedha; na
- (e) kutathmini makadirio ya kodi, sera za kiuchumi na bajeti na mipango iliyo na athari za moja kwa moja kwenye bajeti.

(4) Kamati ya Bajeti na Uidhinishaji wa Matumizi itakayoundwa na Bunge la Taifa mara baada ya uchaguzi mkuu itahudumu kwa muda wa miaka mitatu ya kalenda na kamati itakayoundwa baadaye itahudumu kwa muda uliosalia wa muhula wa Bunge.

(5) Akidi ya Kamati ya Bajeti na Uidhinishaji wa Matumizi itakuwa Mwenyekiti na wajumbe wengine wanane.

(5A) Kamati ya Bajeti na Uidhinishaji wa Matumizi inaweza kuunda kamati ndogo, ikijumuisha kamati ndogo ya kuhakiki masuala yanayohusu utungaji wa sheria, kadri itakavyoona inafaa, kwa uendeshaji bora wa majukumu yake.

(6) Kamati itawaalika Wenyeviti wa kamati zote za kiidara ili watoe mawasilisho ya kamati zao wakati wa kushughulikia bajeti.

Procedure and House Rules Committee

208. (1) There shall be a select committee to be known as the Procedure and House Rules Committee.

(2) The committee shall comprise the Speaker as Chairperson, the Deputy Speaker, members of the Chairperson's Panel and not more than seventeen other members.

(3) The Procedure and House Rules Committee shall consider and report on all matters relating to these Standing Orders.

(4) The Procedure and House Rules Committee may propose amendments to these Standing Orders and any such amendments shall upon approval by the House, take effect at the time appointed by the House.

(5) The Procedure and House Rules Committee may propose rules for the orderly and effective conduct of committee business and any such rules, shall upon approval by the House, continue in force until amended or repealed by the House.

(6) Any rules approved under paragraph (5) shall be annexed to the Standing Orders and shall be binding upon Committees to the same extent as these Standing Orders.

Committee on Implementation

209. (1) There shall be a select committee to be known as the Committee on Implementation.

(2) The Committee shall scrutinize the resolutions of the House (including adopted committee reports), petitions and the undertakings given by the National Executive and examine—

Kamati ya Utaratibu na Kanuni za Bunge la Taifa

208. (1) Kutakuwa na kamati itakayoitwa Kamati ya Utaratibu na Kanuni za Bunge la Taifa.

(2) Kamati hii itakuwa na Spika kama Mwenyekiti, Naibu Spika, wajumbe wa Jopo la Mwenyekiti na Wabunge wengine wasiozidi kumi na saba.

(3) Kamati ya Utaratibu na Kanuni za Bunge la Taifa itashughulikia na kuripoti kuhusu masuala yote yanayohusu Kanuni hizi.

(4) Kamati ya Utaratibu na Kanuni za Bunge la Taifa inaweza kupendekeza marekebisho katika Kanuni hizi na marekebisho hayo yakishaidhinishwa na Bunge la Taifa yataanza kutumika wakati utakaoamuliwa na Bunge la Taifa.

(5) Kamati ya Utaratibu na Kanuni za Bunge la Taifa inaweza kupendekeza masharti yatakayoongoza uendeshaji bora wa shughuli za kamati na masharti hayo yakishaidhinishwa na Bunge la Taifa yataendelea kutumika hadi yatakaporekebisha au kufutwa na Bunge la Taifa.

(6) Masharti yoyote yatakayoidhinishwa kwa mujibu wa aya ya (5) yataambatishwa kwenye Kanuni hizi na Kamati zitafuata masharti hayo kama ilivyo kwa Kanuni hizi.

Kamati ya Utekelezaji

209. (1) Kutakuwa na kamati itakayoitwa Kamati ya Utekelezaji.

(2) Kamati itatathmini maamuzi ya Bunge la Taifa (ikijumuisha ripoti za kamati zilizoridhiwa), ardhilhali na ahadi zilizotolewa na Mamlaka Kuu ya Serikali ya Taifa na kutathmini—

- (a) whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and
 - (b) whether or not legislation passed by the House has been operationalised and where operationalised, the extent to which such operationalisation has taken place within the minimum time necessary.
- (3) The Committee may propose to the House, sanctions against any Cabinet Secretary who fails to report to the relevant select Committee on implementation status without justifiable reasons.
- (4) The Committee on Implementation shall consist of a Chairperson and not more than twenty-two other members.
- (5) In the Membership of the Committee on Implementation, parties other than parliamentary parties forming the national government shall have a majority of one.

Committee on Delegated Legislation

- 210.** (1) There shall be a select committee to be known as the Committee on Delegated Legislation.
- (1A) The Committee shall consist of a Chairperson and not more than twenty-two other members.
- (2) Whenever a statutory instrument is submitted to the Assembly pursuant to the Constitution, any law or these Standing Orders, the statutory instrument shall, unless a contrary intention appears in the relevant legislation, be laid before the Assembly by the Chair of the relevant Departmental Committee, or any other member and shall thereafter stand referred to the Committee on Delegated Legislation.

- (a) iwapo uamuzi na ahadi hizo zimetekelzwa au la, na pale ambapo zimetekelzwa, kiwango cha utekelezaji; na iwapo utekelezaji huo umefanywa katika muda mfupi unaohitajika; na
 - (b) iwapo sheria iliyopitishwa na Bunge la Taifa imetekelzwa au la na kama imetekelzwa, kiwango ambacho utekelezaji wake umefanywa katika muda mfupi unaohitajika.
- (3) Kamati inaweza kupendekeza kwa Bunge la Taifa adhabu dhidi ya Waziri atakayeshindwa kutoa ripoti kwa kamati inayohusika kuhusu kiwango cha utekelezaji wa maamuzi ya Bunge la Taifa bila sababu za kuridhisha.
- (4) Kamati ya Utekelezaji itakuwa na Mwenyekiti na wajumbe wengine wasiozidi ishirini na wawili.
- (5) Vyama, isipokuwa Vyama Bunge vinavyounda Serikali ya Taifa, vitakuwa na mjumbe mmoja zaidi ya Vyama Bunge vinavyounda Serikali ya Taifa kwenye idadi ya wajumbe wa Kamati ya Utekelezaji.

Kamati ya Sheria Ndogo

- 210.** (1) Kutakuwa na kamati itakayoitwa Kamati ya Sheria Ndogo.
- (1A) Kamati itakuwa na Mwenyekiti na wajumbe wengine wasiozidi ishirini na wawili.
- (2) Kila wakati sheria ndogo inapowasilishwa katika Bunge la Taifa kwa mujibu wa Katiba, sheria yoyote au Kanuni hizi, isipokuwa kama imedhamiriwa vinginevyo kwenye sheria inayohusika, sheria hiyo ndogo itawasilishwa katika Bunge la Taifa na Mwenyekiti wa kamati husika ya kiidara au mjumbe mwingine yeyote wa Kamati hiyo na kisha kukabidhiwa Kamati ya Sheria Ndogo.

(3) The Committee shall consider in respect of any statutory instrument whether it—

- (a) is in accordance with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law;
- (b) infringes on fundamental rights and freedoms of the public;
- (c) contains a matter which in the opinion of the Committee should more properly be dealt with in an Act of Parliament;
- (d) contains imposition of taxation;
- (e) directly or indirectly bars the jurisdiction of the Courts;
- (f) gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
- (g) involves expenditure from the Consolidated Fund or other public revenues;
- (h) is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation;
- (i) appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
- (j) appears to have had unjustifiable delay in its publication or laying before Parliament;
- (k) makes rights, liberties or obligations unduly dependent upon non-reviewable decisions;
- (l) makes rights, liberties or obligations unduly dependent insufficiently defined administrative powers;
- (m) inappropriately delegates legislative powers;
- (n) imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation;
- (o) appears for any reason to infringe on the rule of law;

(3) Kamati itathmini iwapo sheria ndogo —

- (a) imezingatia masharti ya Katiba, Sheria msingi inayotokana nayo au sheria nyingine yoyote;
- (b) inakiuka haki na uhuru wa kimsingi wa umma;
- (c) ina suala ambalo, kwa maoni ya Kamati, linatakiwa kushughulikiwa kwa mujibu wa sheria;
- (d) ina masharti ya kutoza kodi;
- (e) inazuia mamlaka ya Mahakama kwa njia ya moja kwa moja au isiyo ya moja kwa moja;
- (f) ina masharti ambayo yanakusudia kutumika kwa masuala yaliyofanyika kabla ya kupitishwa kwake kinyume na mamlaka inayopewa na Katiba au Sheria;
- (g) inahusisha matumizi kutoka kwenye Hazina Kuu au mapato mengine ya serikali;
- (h) ina makosa ya kiuandishi au ya kimuundo au lengo lake linahitaji kufafanuliwa zaidi;
- (i) inaelekea kutumia visivyo au kwa namna isiyotarajiwa mamlaka iliyopewa na Katiba au sheria msingi inayotokana nayo;
- (j) inaelekea kuchapishwa au kuwasilishwa kwake katika Bunge kumecheleweshwa bila sababu zinazoridhisha;
- (k) inategemeza haki, uhuru au wajibu kwa maamuzi yasiyoruhusu kuhakikiwa kisheria;
- (l) inategemeza haki, uhuru au wajibu kwa mamlaka ya usimamizi ambayo hayajafafanuliwa kikamilifu;
- (m) inakasimisha mamlaka ya kutunga kisheria isivyostahili;
- (n) inatoza faini, kifungo au adhabu nyingine pale ambapo sheria msingi haijatoa mamlaka bayana;
- (o) inaonekana kwa sababu yoyote kukiuka utawala wa sheria;

- (p) inadequately subjects the exercise of legislative power to parliamentary scrutiny; and,
- (q) accords to any other reason that the Committee considers fit to examine.

(4) If the Committee—

(a) resolves that the statutory instrument, be acceded to, the Clerk shall convey that resolution to the relevant state department or the authority that published the statutory instrument;

(b) does not accede to the statutory instrument, the Committee may recommend to the House that the Assembly resolves that all or any part of the statutory instrument be annulled and if the instrument—

(i) is not made under a legislation concerning counties and a resolution is passed by the Assembly within twenty days on which it next sits after the instrument laid before it under paragraph (2), that all or part of the statutory instrument be annulled, the instrument or part thereof shall henceforth stand annulled; and

(ii) is made under a legislation concerning counties, the Clerk shall, within seven days of the resolution transmit a message to the Senate.

(5) The Clerk shall submit the resolution under paragraph (4)(b)(i) to the relevant state department or the authority that published the statutory instrument.

(6) In this Standing Order, “statutory instrument” means any rule, order, regulation, direction, form, tariff of costs or fees, letter patent, commission, warrant, proclamation, by-law, resolution, guideline or other instrument issued, made or established in the execution of a power conferred by or under an act of Parliament under which that statutory instrument or subsidiary legislation is expressly authorised to be issued

(p) inatoa nafasi finyu kwa Bunge kuchunguza utekelezaji wa mamlaka ya kutunga sheria; na

(q) inaashiria sababu nyingine yoyote ambayo Kamati inaona inafaa kuchunguza.

(4) Iwapo Kamati—

(a) itaamua kwamba sheria ndogo ziidhinishwe, Katibu atawasilisha uamuzi huo kwa idara husika au mamlaka iliyotayarisha na kuchapisha sheria ndogo;

(b) imeamua kutoidhinisha sheria ndogo, Kamati inaweza kutoa mapendekezo kwa Bunge la Taifa kwamba sheria ndogo au sehemu yake ibatilishwe na iwapo sheria ndogo —

(i) haijatarishwa kwa mujibu wa sheria inayohusu serikali za kaunti na uamuzi umepitishwa na Bunge la Taifa katika muda usiozidi siku ishirini Bunge la Taifa litakapofanya kikao baada ya sheria ndogo hiyo kuwasilishwa kwake kwa mujibu wa aya ya (2), kwamba sheria ndogo au sehemu yake ibatilishwe, sheria ndogo au sehemu yake husika itabilishwa papo hapo; na

(ii) imetayarishwa kwa mujibu wa sheria inayohusu serikali za kaunti, Katibu, katika muda usiozidi ya siku saba baada ya kupitishwa kwa uamuzi huo, atatuma Ujumbe kwa Seneti.

(5) Katibu atawasilisha uamuzi uliopitishwa kwa mujibu wa aya ya (4)(b)(i) kwa idara husika au mamlaka iliyochapisha sheria ndogo hiyo.

(6) Katika Kanuni hii, “sheria ndogo” ina maana ya masharti, amri, utaratibu, maelekezo, fomu, tozo za gharama au ada, idhini maalum, hati ya kutumwa, waranti, kauli ya kisheria, sheria zilizogatuliwa, uamuzi, mwongozo au hati zote za kisheria ambazo zimetungwa au kutolewa kwa ajili ya utekelezaji wa mamlaka yanayokabidhiwa kwa mujibu wa sheria msingi.

Concurrence of Senate's Resolution on Statutory Instruments

211. (1) Whenever the Assembly receives a message from the Senate seeking concurrence to a resolution of the Senate, that a statutory instrument or part of a statutory instrument be annulled, the Senate resolution shall stand referred to the Committee on Delegated Legislation which shall consider the resolution, together with the statutory instrument and report to the Assembly within twenty-one days of the referral.

(2) Paragraph (3) of Standing Order 210 (*Committee on Delegated Legislation*) shall, with necessary modifications, apply to the consideration of the resolution under paragraph (1).

(3) If the Assembly—

(a) agrees with the resolution of the Senate, the Clerk shall, by way of a message, inform the Clerk of the Senate and the relevant state department or the authority that published the statutory instrument, that Parliament has annulled the statutory instrument or part thereof and the instrument or part thereof shall, henceforth be void, but without prejudice to the validity of anything previously done there under, or the making of any new delegated legislation.

(b) fails to agree with the Senate resolution, the resolution shall be referred to a Joint Committee of parliament and Standing Order 213 (*Appointment of Joint Committees*) shall, with necessary modifications, apply.

Committee on Regional Integration

212. (1) There shall be a select committee to be designated as the Committee on Regional Integration.

(2) Committee on Regional Integration shall—

(a) enhance the role and involvement of the House in intensification and development of the integration process in the East African Community and the greater African region;

Kuafiki uamuzi wa Seneti kuhusu sheria ndogo

211. (1) Bunge la Taifa linapokea Ujumbe kutoka Seneti ikiomba maafikiano kuhusu uamuzi wa Seneti, kwamba sheria ndogo au sehemu ya sheria ndogo ibatilishwe, uamuzi wa Seneti utakabidhiwa Kamati ya Sheria Ndogo ambayo itashughulikia uamuzi huo pamoja na sheria ndogo inayohusika na kuripoti katika Bunge la Taifa katika muda usiozidi siku ishirini na moja baada ya kukabidhiwa uamuzi wa Seneti.

(2) Aya ya (3) ya Kanuni ya 210 (*Kamati ya Sheria Ndogo*), kadri itakavyowezekana, itatumika katika kushughulikia uamuzi uliotajwa katika aya ya (1).

(3) Ikiwa Bunge la Taifa—

(a) linakubaliana na uamuzi wa Seneti, Katibu atamjulisha Katibu wa Seneti, kupitia Ujumbe na idara husika au mamlaka iliyochapisha sheria ndogo, kwamba Bunge limebatilisha sheria ndogo au sehemu yake na sheria ndogo au sehemu yake inayohusika imebatilishwa, bila kuathiri uhalali wa jambo lolote lililotendwa hapo awali kwa mujibu wa sheria ndogo hiyo au kwa utayarishaji wa sheria ndogo yoyote mpya.

(b) halikubaliani na uamuzi wa Seneti, uamuzi huo utakabidhiwa Kamati ya Pamoja ya Bunge, na Kanuni ya 213 (*Uteuzi wa Kamati za Pamoja*) itatumika ikifanyiwa marekebisho yanayofaa.

Kamati ya Utangamano wa Kikanda

212. (1) Kutakuwa na Kamati itakayoitwa Kamati ya Utangamano wa Kikanda.

(2) Kamati ya Utangamano wa Kikanda—

(a) itaimarisha jukumu na uhusika wa Bunge la Taifa la Taifa katika kuzidisha na kustawisha mchakato wa utangamano katika Jumuiya ya Afrika Mashariki na Afrika nzima;

- (b) examine the records of all the relevant debates and resolutions of the meetings of the East African Legislative Assembly;
- (c) examine the Bills introduced in the East African Legislative Assembly and Acts of the East African Community;
- (d) examine the records of all the relevant debates and resolutions of the meetings of the Pan African Parliament, the African, Caribbean and Pacific-European Union Joint Parliamentary Assembly and other regional integration bodies; and
- (e) inquire into and examine any other matter relating to regional integration generally requiring action by the House.

(3) The Committee shall consist of a Chairperson and not more than twenty-two other members.

Procedure for presentation of reports from the East African Legislative Assembly and the Pan-African Parliament

212A. (1) A Committee or a Member of the East African Legislative Assembly or the Pan-African Parliament may present a report to or consult with the Committee for the time being responsible for matters relating to regional integration or any other committee of the House on any matter relating to the work of the East African Legislative Assembly or the Pan-African Parliament, respectively.

(2) Whenever the Clerk of the National Assembly receives copies of the records of relevant debates of the meetings of the East African Legislative Assembly, or copies of Bills introduced into the East African Legislative Assembly and Acts of the East African Community, the Clerk shall forward the records of debates, Bills or Acts of the Community to the relevant committee.

(3) The Committee shall consider a report under paragraph (1) or the records of debates, Bills or Acts of the Community, and submit its report to the House with its recommendations, if any, within twenty-one days.

(b) itatathmini kumbukumbu za mijadala yote inayohusika na maamuzi ya mikutano yote ya Bunge la Afrika Mashariki;

(c) itatathmini Miswada iliyowasilishwa kwenye Bunge la Afrika Mashariki na Sheria za Jumuiya ya Afrika Mashariki;

(d) itatathmini kumbukumbu za mijadala yote inayohusika na maamuzi ya mikutano yote ya Bunge la Afrika, Baraza la Pamoja la Mabunge ya Afrika, Visiwa vya Karibi na Pasifiki-Umoja wa Ulaya na mashirika mengine ya utangamano wa kikanda; na

(e) itachunguza na kutathimini suala lingine lolote linalohusiana na utangamano wa kikanda linalohitajika kushughulikiwa na Bunge la Taifa.

(3) Kamati itakuwa na Mwenyekiti na Wajumbe wengine wasiozidi ishirini na wawili.

Utaratibu wa kuwasilisha ripoti za Bunge la Afrika Mashariki na Bunge la Afrika

212A. (1) Kamati au Mbunge wa Bunge la Afrika Mashariki au Bunge la Afrika anaweza kuwasilisha ripoti au kushauriana na Kamati ambayo kwa wakati huo inahusika na masuala ya utangamano wa kikanda au kamati nyingine yoyote ya Bunge la Taifa kuhusu suala lolote linalohusiana na kazi za Bunge la Afrika Mashariki au Bunge la Afrika.

(2) Katibu wa Bunge la Taifa anapopokea nakala za kumbukumbu za mijadala ya mikutano ya Bunge la Afrika Mashariki, au nakala za Miswada zilizowasilishwa kwenye Bunge la Afrika Mashariki na sheria za Jumuiya ya Afrika Mashariki, Katibu atazikabidhi kumbukumbu za mijadala, miswada au sheria za Jumuiya ya Afrika Mashariki kwa Kamati inayohusika.

(3) Kamati itashughulikia ripoti itakayowasilishwa kwa mujibu wa aya ya (1) au kumbukumbu za mijadala, Miswada au Sheria za Jumuiya na kuwasilisha ripoti katika Bunge la Taifa pamoja na mapendekezo yake, ikiwa yapo, katika muda usiozidi siku ishirini na moja.

(4) The National Assembly shall, within twenty-one days, consider the report of the Committee under paragraph (3) and the Clerk shall, within seven days, forward to the Clerk of the East Africa Legislative Assembly the resolution of the National Assembly on the report together with copies of the records of the debate.

Committee on Members' Services and Facilities

212B. (1) There shall be a select committee to be designated the Committee on Members' Services and Facilities.

(2) The Committee shall be responsible for—

- (a) receiving and considering views of Members on the services and facilities provided for their benefit and well-being; and
- (b) advising and reporting on all matters connected to the services and facilities provided for Members.

(3) The Committee shall consist of a Chairperson and not more than fourteen other members who shall be approved by the House at the commencement of every Session.

Committee on National Cohesion and Equal Opportunity

212C. (1) There shall be a select committee to be designated the Committee on National Cohesion and Equal Opportunity.

(2) The Committee shall consist of a Chairperson and not more than twenty-two other members.

(3) The Committee shall—

- (a) monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion;
- (b) investigate, inquire into and report on all matters relating to intercommunity cohesion;

(4) Bunge la Taifa, katika muda usiozidi siku ishirini na moja, litashughulikia ripoti ya Kamati iliyowasilishwa kwa mujibu wa aya ya (3) na katika muda usiozidi siku saba, Katibu atawasilisha kwa Katibu wa Bunge la Afrika Mashariki uamuzi wa Bunge la Taifa kuhusu ripoti pamoja na nakala za kumbukumbu za mjadala.

Kamati ya Huduma na Vifaa kwa Wabunge

212B. (1) Kutakuwa na Kamati itakayoitwa Kamati ya Huduma na Vifaa kwa Wabunge.

(2) Majukumu ya Kamati hii yatakuwa—

- (a) kupokea na kushughulikia maoni ya Wabunge kuhusu huduma na vifaa wanavyopewa Wabunge kwa manufaa na ustawi wao; na
- (b) kushauri na kuripoti kuhusu masuala yote yanayohusiana na huduma na vifaa wanavyopewa Wabunge.

(3) Kamati itakuwa na Mwenyekiti na Wabunge wengine wasiozidi kumi na wanne ambao wataidhinishwa na Bunge la Taifa mwanzoni mwa kila Kipindi.

Kamati ya Mshikamano wa Kitaifa na Fursa Sawa

212C. (1) Kutakuwa na Kamati itakayoitwa Kamati ya Mshikamano wa Kitaifa na Fursa Sawa.

(2) Kamati itakuwa na Mwenyekiti na Wabunge wengine wasiozidi ishirini na wawili.

(3) Majukumu ya Kamati hii yatakuwa—

- (a) kufuatilia na kuimarisha mikakati inayohusiana na sera na mipango ya amani na mshikamano wa kitaifa;
- (b) kupeleleza, kuchunguza na kuripoti juu ya masuala yote yanayohusu mshikamano baina ya jamii;

- (c) monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons, including persons who are marginalised on the basis of gender, age, disability, health status, ethnic, racial, cultural or religious background or affiliation or any other such ground;
- (d) investigate, inquire into and report on all matters relating to discrimination or marginalization of persons referred to under sub-paragraph (c);
- (e) make proposals to Parliament including legislative proposals for the protection, equalisation of opportunities and promotion of the welfare of the groups referred to under sub-paragraph (c); and
- (f) examine the activities and administration of all state departments and statutory bodies in so far as they relate to the rights and welfare of the persons referred to under sub-paragraph (c).

Committee on Parliamentary Broadcasting and Library

- 212D.** (1) There shall be a select committee to be designated the Committee on Parliamentary Broadcasting and Library.
- (2) The Committee shall consist of a Chairperson and not more than twenty-two other members.
- (3) The Committee shall—
- (a) consider and report on all matters relating to broadcasting of the proceedings of the House;
 - (b) advise the House on matters related to public participation;
 - (c) make reports and recommendations to the House, including proposed legislation on matters relating to broadcasting of House proceedings;

- (c) kufuatilia na kuimarisha mikakati iliyobuniwa katika kuongeza fursa sawa na kuboresha usawa wa maisha na hali ya watu wote, ikijumusha watu waliotengwa kwa misingi ya jinsia, umri, ulemavu, hali ya kiafya, kabila, rangi, utamaduni au dini au uhusiano au misingi mingine kama hiyo;
- (d) kupeleleza, kuchunguza na kuripoti juu ya masuala yote yanayohusiana na ubaguzi au kutengwa kwa watu kwa misingi iliyotajwa katika aya ya (3)(c);
- (e) itoa mapendekezo katika Bunge ikijumuisha mapendekezo ya miswada kwa ajili ya kulinda, kusawazisha fursa na kuimarisha ustawi wa makundi yaliyotajwa katika aya ya (3)(c); na
- (f) itatathmini shughuli na uendeshaji wa idara za serikali na asasi zilizoundwa kwa mujibu wa sheria zote kadri inavyohusiana na haki pamoja na ustawi wa watu waliotengwa kwa misingi iliyotajwa katika aya ya (3)(c).

Kamati ya Utangazaji wa Shughuli za Bunge na Maktaba

- 212D.** (1) Kutakuwa na Kamati itakayoitwa Kamati ya Utangazaji wa Shughuli za Bunge na Maktaba.
- (2) Kamati itakuwa na Mwenyekiti na Wabunge wengine wasiozidi ishirini na wawili.
- (3) Majukumu ya Kamati hii yatakuwa—
- (a) kushughulikia na kuripoti kuhusu masuala yote yanayohusiana na utangazaji wa shughuli za Bunge la Taifa;
 - (b) kulishauri Bunge la Taifa kuhusu masuala yanayohusiana na ushirikishwaji wa umma;
 - (c) kuandaa ripoti na kutoa mapendekezo kwa Bunge la Taifa ikijumuisha sheria zinazopendekezwa kuhusu masuala yanayohusiana na utangazaji wa shughuli za Bunge la Taifa;

(d) recommend to and advise the House on matters related to provision of library, publications and research services in Parliament, including improvement of the library and research services; and

(e) assist Members in utilizing the facilities provided by the library and research services, including use of information and communication technology.

(4) The Committee shall not deal with matters related to procurement of items or services of the broadcast, the library or research services, or any matter falling within a function of the Parliamentary Service Commission.

Joint Committees of Parliament

Appointment of Joint Committees

213. (1) The select committees to which this Standing Order refers shall be designated Joint Committees of Parliament.

(2) The Joint Committees of Parliament shall be as set out in the Fourth Schedule and shall comprise of a number of Members equal to the number of Senators appointed or to be appointed by the Senate to the Committee.

(3) The Members to serve on a Joint Committee shall be nominated by the Committee on Selection in consultation with parliamentary parties at the commencement of a Parliament.

(4) *(Deleted)*

(5) A Member appointed to serve on a joint committee at the commencement of a Parliament or at any other time during the term of a Parliament shall, unless the House otherwise resolves, serve for the term of that Parliament, subject to Standing Order 176 (*Discharge of a Member from a Committee*).

(6) Unless a decision is reached by consensus, any vote to be taken in a joint committee shall be by separate Houses.

214. *(Deleted)*

(d) kupendekeza na kushauri Bunge la Taifa kuhusu masuala yanayohusiana na maktaba, machapisho na huduma za utafiti katika Bunge, ikijumuisha kuboresha huduma za maktaba na utafiti; na

(e) kuwasaidia Wabunge katika kutumia huduma za maktaba na huduma za utafiti, ikijumuisha matumizi ya teknolojia ya habari na mawasiliano.

(4) Kamati haitashughulikia masuala yanayohusiana na ununuzi wa vifaa au huduma za utangazaji, maktaba au huduma za utafiti, au suala lolote linalohusiana na jukumu la Tume ya Huduma za Bunge.

Kamati za Pamoja za Bunge

Uteuzi wa Kamati za Pamoja

213. (1) Kamati ambazo masharti ya Kanuni hii yatatumika zitaitwa Kamati za Pamoja za Bunge.

(2) Kamati za Pamoja za Bunge zitakuwa zile ambazo zimeorodheshwa katika Nyongeza ya Nne na zitakuwa na idadi ya Wajumbe kutoka Bunge la Taifa inayolingana na idadi ya Maseneta walioteuliwa au watakaoteuliwa na Seneti ili kuunda Kamati hiyo.

(3) Wabunge watakaohudumu kwenye Kamati ya Pamoja watateuliwa na Kamati ya Kuteua Wajumbe wa Kamati kwa kushauriana na Vyama Bunge mwanzoni mwa muhula wa Bunge.

(4) *(Imefutwa)*

(5) Isipokuwa kama Bunge la Taifa litaamua vinginevyo, Mjumbe atakayeteuliwa kuhudumu kwenye Kamati ya Pamoja mwanzoni mwa muhula wa Bunge au wakati mwingine wowote wa muhula wa Bunge atahudumu kwa muhula wa Bunge hilo, kwa kuzingatia masharti ya Kanuni ya 176 (*Kuondolewa kwa mjumbe kwenye Kamati*).

(6) Isipokuwa pale ambapo uamuzi kwenye Kamati ya Pamoja umefikiwa kwa makubaliano, kura yoyote itakayopigwa itapigwa kwa kutenganisha wajumbe kutoka Bunge la Taifa na wale wa Seneti.

214. *(Imefutwa)*

215. (Deleted)

Departmental Committees

Appointment and mandate of Departmental Committees

216. (1) There shall be select committees to be known as Departmental Committees whose members shall—

(a) be nominated by the Committee on Selection in consultation with parliamentary parties at the commencement of every Parliament; and

(b) not exceed nineteen in number.

(2) A Member appointed to a Departmental Committee at the commencement of a Parliament or at any other time during the term of a Parliament shall, unless the House otherwise resolves, serve for the term of that Parliament, subject to Standing Order 176 (*Discharge of a Member from a Committee*).

(3) Unless the House otherwise directs, the Departmental Committees and the subject matter respectively assigned to them shall be as set out in the Second Schedule.

(4) The mandate of Departmental Committees in respect of the subject matter assigned under the Second Schedule of these Standing Orders shall only be exercised within the limits contemplated under Part 1 of the Fourth Schedule to the Constitution.

(5) The functions of a Departmental Committee shall be to—

(a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;

(b) study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;

(c) study and review all legislation referred to it;

215. (*Imefutwa*)

Kamati za Kiidara

Uteuzi na wajibu wa Kamati za Kiidara

216. (1) Kutakuwa na Kamati zitakazoitwa Kamati za Kiidara ambazo wajumbe wake—

(a) watateuliwa na Kamati ya Kuteua Wajumbe wa Kamati ikishauriana na vyama Bunge mwanzoni mwa muhula wa kila Bunge; na

(b) hawatazidi kumi na tisa.

(2) Isipokuwa kama Bunge la Taifa litaamua vinginevyo, Mbunge atakayeteuliwa kwenye Kamati ya Kiidara mwanzoni mwa muhula wa Bunge au wakati mwingine wa muhula atahudumu kwenye Kamati hiyo kwa muhula wa Bunge hilo, ikizingatia Kanuni ya 176 (*Kuondolewa kwa mjumbe kwenye Kamati*).

(3) Isipokuwa kama Bunge la Taifa litaelekeza vinginevyo, Kamati za Kiidara na masuala yaliyokabidhiwa kila Kamati yatakuwa kama inavyobainishwa kwenye Nyongeza ya Pili.

(4) Wajibu wa Kamati za Kiidara kuhusiana na masuala yaliyokabidhiwa kwa mujibu wa Nyongeza ya Pili ya Kanuni hizi utatekelezwa tu kwa kuzingatia mipaka iliyowekwa kwenye Sehemu ya Kwanza ya Nyongeza ya Nne ya Katiba.

(5) Majukumu ya Kamati ya Kiidara yatakuwa—

(a) kupeleleza, kuchunguza na kuripoti masuala yote yanayohusu wajibu, usimamizi, shughuli, utawala, uendeshaji na makadirio ya wizara na idara inazozisimamia;

(b) kudurusu mipango na malengo ya sera za wizara na idara na mafanikio ya utekelezwaji wake;

(c) kudurusu na kuhakiki miswada yote iliyokabidhiwa kwake;

- (d) study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
 - (e) investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
 - (f) to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (*Committee on Appointments*);
 - (fa) examine treaties, agreements and conventions;
 - (g) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
 - (h) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
 - (i) consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
 - (j) examine any questions raised by Members on a matter within its mandate.
- (6) The Leader of the Majority Party shall, in consultation with the Speaker, determine the order in which Cabinet Secretaries shall appear to answer questions raised under paragraph (5)(j) before a Committee.
- (7) The Speaker may, on request of the Leader of the Majority Party vary the order in which questions raised under paragraph (5) (j) shall be disposed of in a Committee, or defer a question scheduled to be responded to.

- (d) kudurusu, kutathmini na kuchanganua mafanikio ya wizara na idara inazozisimamia yakikadiriwa kwa kuzingatiamatokeoyakeikilinganishwa na malengo yaliyowekwa;
 - (e) kupeleleza na kuchunguza masuala yote yanayohusiana na wizara na idara inazozisimamia kadri itakavyoona na kama itakavyokabidhiwa na Bunge la Taifa;
 - (f) kutathmini na kuripoti kuhusu uteuzi wote ambao Katiba au sheria yoyote inahitaji Bunge la Taifa kuidhinisha, isipokuwa uteuzi uliotajwa kwenye Kanuni ya 204 (*Kamati ya Uteuzi*);
 - (fa) kutathmini mikataba, makubaliano na maagano;
 - (g) kuandaa ripoti na kutoa mapendekezo kwa Bunge la Taifa mara kwa mara kadri itakavyowezezana, ikijumuisha mapendekezo ya sheria;
 - (h) kuandaa ripoti na kutoa mapendekezo kwa Bunge la Taifa mara kwa mara kadri itakavyowezezana, ikijumuisha mapendekezo ya sheria;
 - (i) kushughulikia ripoti za Tume na Ofisi Huru zilizowasilishwa katika Bunge la Taifa kwa mujibu wa Ibara ya 254 ya Katiba; na
 - (j) kutathmini masuala yoyote yatakayotolewa na Wabunge ambayo ni miongoni mwa wajibu wake.
- (6) Kiongozi wa Chama cha walio Wengi, kwa kushauriana na Spika, ataamua mpangilio wa Mawaziri kufika mbele ya Kamati ili kujibu maswali yaliyoulizwa kwa mujibu wa aya ya (5)(j).
- (7) Kufuatia ombi la Kiongozi wa Chama cha walio Wengi, Spika anaweza kubadilisha mpangilio utakaofuatwa kwenye kamati kwa kushughulikia maswali yaliyoulizwa kwa mujibu wa aya ya (5)(j) au kuahirisha swali lililopangwa kujibiwa.

Liaison Committee

217. (1) There shall be a select committee to be known as the Liaison Committee which shall consist of the Deputy Speaker as Chairperson, a member of the Chairperson's Panel who also is the First Chairperson of Committees who shall be the Vice-Chairperson and the Chairpersons of all committees of the House.

(2) The Liaison Committee shall—

- (a) guide and co-ordinate the operations, policies and mandates of all Committees;
- (b) deliberate on and apportion the annual operating budget among the Committees;
- (c) consider the programmes of all Committees, including their need to travel and sit away from the precincts of Parliament;
- (d) ensure that Committees submit reports as required by these Standing Orders;
- (f) determine, whenever necessary, the committee or committees to deliberate on any matter; and
- (g) give such advice relating to the work and mandate of select committees as it may consider necessary.

(3) The Liaison Committee shall consider reports of Committee that have not been deliberated by the House and shall report to the House on the consideration of such reports.

Committee to be limited to mandate

218. (1) Except as expressly provided for in these Standing Orders, no matter shall be referred to a select committee except on a Motion approved after notice given.

(2) Notwithstanding paragraph (1), the Speaker may, in exceptional circumstances, on a request by a Member, refer a matter to a committee.

Kamati ya Kuratibu Shughuli za Kamati

217. (1) Kutakuwa na kamati itakayoitwa Kamati ya Kuratibu Shughuli za Kamati ambayo itakuwa na Naibu Spika kama Mwenyekiti, Mjumbe wa Kwanza wa Jopo la Mwenyekiti atakayekuwa Makamu Mwenyekiti, na Wenyekiti wa Kamati zote za Bunge la Taifa.

(2) Kamati ya Kuratibu Shughuli za Kamati—

- (a) itaongoza na kuratibu uendeshaji, sera na wajibu ya Kamati zote;
- (b) itajadili na kutenga bajeti za kila mwaka za uendeshaji wa shughuli za Kamati;
- (c) itatathmini mipango ya kamati zote, ikijumuisha mahitaji ya kusafiri na kufanya mikutano nje ya maeneo ya Bunge;
- (d) itahakikisha kwamba Kamati zinawasilisha ripoti zinazohitajika kwa mujibu wa Kanuni hizi;
- (f) itaamua kamati itakayoshughulikia au zitakazoshughulikia suala lolote kadri itakavyohitajika; na
- (g) itatoa ushauri kuhusu kazi na wajibu wa kamati kadri itakavyoona inafaa.

(3) Kamati ya Kuratibu Shughuli za Kamati itatathmini ripoti za kamati ambazo hazijashughulikiwa na Bunge la Taifa na kutoa ripoti katika Bunge la Taifa kuhusu tathmini ya ripoti hizo.

Kamati kujikita katika Wajibu

218. (1) Isipokuwa kama ilivyoelezwa bayana katika Kanuni hizi, hakuna suala litakalopelekwa kwenye kamati ila kupitia Hoja iliyoidhinishwa baada ya arifa kutolewa.

(2) Bila kuzingatia aya ya (1), Spika, katika hali za kipekee na kufuatia ombi la Mbunge, anaweza kukabidhi suala kwa Kamati.

PART XXIII

PUBLIC PETITIONS

Meaning of Petition

219. For purposes of this Part other than Standing Order 230 (*Petitions for Removal of a member of a Commission or holder of an Independent Office*), a petition means a written prayer to the House under Article 37 or 119 of the Constitution by a member of the public requesting the House to consider any matter within its authority, as contemplated in Articles 94 and 95 of the Constitution, including enacting, amending or repealing any legislation.

Submission of a Petition

220. (1) A petition to the House shall be—

- (a) submitted to the Clerk by the petitioner and reported to the House by the Speaker; or
- (b) presented by a Member on behalf of a petitioner, with the consent of the Speaker.

(2) Notwithstanding paragraph (1)(b), a Member shall not be eligible to present a petition on his own behalf.

(3) The Clerk shall, within seven days of the date of receipt of the petition, review the petition to ascertain whether the petition meets the requirements of these Standing orders and of the law.

(4) Where the Clerk considers that a petition does not comply with paragraph (3), the Clerk may give such directions as are necessary to ensure that the petition is amended to comply with that paragraph.

(5) The Clerk shall, if satisfied that the petition meets the requirements under paragraph (3), forward the petition to the Speaker for tabling in the House.

SEHEMU YA XXIII

ARDHILHALI ZA UMMA

Maana ya Ardhillhali

219. Kwa ajili ya sehemu hii isipokuwa Kanuni ya 230 (*Ardhillhali ya kumwondoa mjumbe wa Tume au ofisa wa Ofisi Huru*), ardhillhali ina maana ya ombi rasmi la kimaandishi kwa Bunge la Taifa kwa mujibu wa Ibara ya 37 au ya 119 ya Katiba kutoka kwa mwananchi akiomba Bunge la Taifa kushughulikia suala lililo katika wajibu wa Bunge la Taifa kama ilivyobainishwa kwenye Ibara ya 94 na 95 ya Katiba, ikijumuisha kutunga, kurekebisha au kufuta sheria yoyote.

Kuwasilishwa kwa Ardhillhali

220. (1) Ardhillhali kwa Bunge la Taifa —

- (a) italetwa kwa Katibu na mwenye ardhillhali na kuripotiwa katika Bunge la Taifa na Spika; au
- (b) itawasilishwa na Mbunge kwa niaba ya mwenye ardhillhali, kwa ruhusa ya Spika.

(2) Bila kuzingatia aya ya 1 (b), Mbunge hastahili kuwasilisha ardhillhali kwa niaba yake mwenyewe.

(3) Katibu, katika muda usiozidi siku saba baada ya kupokea ardhillhali, ataihakiki kwa ajili ya kuthibitisha iwapo imekidhi vigezo vinavyohitajika kwa mujibu wa Kanuni hizi na sheria.

(4) Pale ambapo Katibu atabaini kuwa ardhillhali haikidhi vigezo kwa mujibu wa aya ya (3), anaweza kutoa maelekezo yanayofaa kwa ajili ya kuhakikisha kwamba ardhillhali hiyo inarekebisha ili kukidhi masharti ya aya hiyo.

(5) Iwapo Katibu ameridhika kwamba ardhillhali imekidhi vigezo vinavyohitajika kwa mujibu wa aya ya (3), ataituma kwa Spika ili iwasilishwe katika Bunge la Taifa.

(6) Where a petition is addressed to the Assembly in respect of a matter which is within the mandate of the Senate, the Clerk shall refer the petition to the Clerk of the Senate.

Petition on Private Bill

221. A Petition on a private Bill shall be dealt with in accordance with Part XX (*Private Bills*) of these Standing Orders.

Notice of intention to present Petition

222. A Member shall give to the Clerk two sitting days' notice of intention to present a Petition and the Clerk shall examine such Petition and ensure that the Petition is presented in the manner, form and content required by these Standing Orders.

Form of Petition

223. A petition shall be in the form set out in the Third Schedule and shall—

- (a) be handwritten, printed or typed;
- (b) be in English or Kiswahili and be written in respectful, decorous and temperate language;
- (c) be free of alterations and interlineations in its text;
- (d) be addressed to the House;
- (e) have its subject-matter indicated on every sheet if it consists of more than one sheet;
- (f) indicate whether any efforts have been made to have the matter addressed by a relevant body and whether there has been any response from that body or whether the response has been unsatisfactory;
- (g) indicate whether the issues in respect of which the petition is made are pending before any court of law or other constitutional or legal body;
- (h) conclude with a clear, proper and respectful prayer, reciting the definite object of the petitioner or petitioners in regard to the matter to which it relates;

(6) Pale ambapo ardhillhali imeletwa katika Bunge la Taifa kuhusu suala ambalo ni wajibu wa Seneti, Katibu ataituma ardhillhali hiyo kwa Katibu wa Seneti.

Ardhillhali ya Mswada Binafsi

221. Ardhillhali ya Mswada Binafsi itashughulikiwa kwa mujibu wa Sehemu ya XX (*Miswada Binafsi*) ya Kanuni hizi.

Arifa ya nia ya kuwasilisha Ardhillhali

222. Mbunge atampa Katibu arifa ya siku mbili za vikao kuhusu nia yake ya kuwasilisha Ardhillhali na Katibu atatathmini Ardhillhali hiyo na kuhakikisha kwamba imewasilishwa kwa namna, muundo na maudhui yanayohitajika katika Kanuni hizi.

Muundo wa Ardhillhali

223. Ardhillhali itakuwa na muundo ulioelezwa katika Nyongeza ya Tatu na—

- (a) itaandikwa kwa mkono, kupigwa chapa au taipu;
- (b) itaandikwa kwa Kiingereza au Kiswahili na katika lugha ya heshima, ya staha na isiyoudhi;
- (c) haitakuwa na marekebisho au maandishi baina ya mistari katika matini yake;
- (d) itaelekezwa kwa Bunge la Taifa;
- (e) anwani yake itaandikwa katika kila ukurasa iwapo ina zaidi ya ukurasa mmoja;
- (f) itaeleza iwapo juhudi zozote zimefanywa ili kufikia asasi husika kwa lengo la kutatua suala hilo na iwapo asasi hiyo imetoa jibu lolote au kama jibu lililotolewa haliridhishi;
- (g) itaeleza kama masuala ambayo yamo kwenye Ardhillhali yanasubiri uamuzi wa mahakama au asasi yoyote ya kikatiba au kisheria;
- (h) itahitimishwa kwa ombi wazi, linalofaa na la heshima linalobainisha dhahiri madhumuni mahususi ya mwenye au wenye Ardhillhali kuhusiana na suala linalohusika;

- (i) subject to paragraph (m), contain the names, addresses, identification numbers, signature or a thumb impression of the petitioner or of every petitioner, where there is more than one petitioner;
- (j) contain only signatures or thumb impressions, as the case may be, and addresses and identification numbers written directly onto the petition and not pasted thereon or otherwise transferred to it;
- (k) not have any letters, affidavits or other documents annexed to it;
- (l) in the case of a petition presented by a Member on behalf of a petitioner, be countersigned by the Member presenting it; and
- (m) be signed by the petitioner or if the petitioner is unable to sign, by a witness in whose presence the petitioner shall make his or her mark on the petition.

Time for Petitions

224. The total time on the Order “Petitions” shall not exceed thirty minutes.

Presentation of Petitions

225. (1) A schedule of Petitions to be presented or reported to the House on a sitting day may be appended to the Order Paper of the Day in the order that they shall be presented or reported.

(2) When the Order “Petitions” is read, the Speaker shall—

(a) in case of a petition presented by a Member, direct the Member to present the Petition to the House; or

(b) in case of a Petition presented through the Clerk, report the Petition to the House.

(3) The Member presenting the Petition shall read such Petition but shall confine himself or herself to the subject of the prayer, the material allegations therein and the number of signatures attached.

(i) kwa mujibu wa aya ya (m), itakuwa na majina, anwani, nambari za vitambulisho, sahihi au alama ya kidole gumba cha mwenye Ardhilhali au, iwapo ni zaidi ya mmoja, wenye Ardhilhali hiyo;

(j) itakuwa na sahihi au alama ya kidole gumba, kadri itakavyokuwa, na anwani na nambari za vitambulisho zilizoandikwa moja kwa moja kwenye Ardhilhali na wala si za kupachikwa au zilizohamishiwa hapo;

(k) haitaambathishwa barua, hati za viapo au nyaraka nyingine;

(l) pale ambapo ni Ardhilhali inayowasilishwa na Mbunge kwa niaba ya mwenye Ardhilhali, iwe imetiwa sahihi na Mbunge anayewasilisha; na

(m) iwe imetiwa sahihi na mwenye Ardhilhali au iwapo hawezi kutia sahihi, iwe imetiwa sahihi na shahidi mbele ya mwenye Ardhilhali ambaye ataweka alama yake kwenye Ardhilhali.

Muda wa Ardhilhali

224. Muda utakaotumika kwa ajili ya Shughuli ya “Ardhilhali” hautazidi dakika thelathini.

Uwasilishaji wa Ardhilhali

225. (1) Orodha ya Ardhilhali zitakazowasilishwa au kuripotwa katika kikao cha Bunge la Taifa itaambathishwa kwenye Ratiba ya Shughuli ya siku ikionyesha mpangilio utakaofuatwa wakati wa kuziwasilisha au kuziripoti.

(2) Shughuli ya “Ardhilhali” itakaposomwa, Spika—

(a) atamuagiza Mbunge awasilishe Ardhilhali katika Bunge la Taifa, ikiwa Ardhilhali hiyo iliwasilishwa na Mbunge ; au

(b) ataripoti Ardhilhali katika Bunge la Taifa, ikiwa iliwasilishwa kupitia kwa Katibu.

(3) Mbunge anayewasilisha Ardhilhali atasoma Ardhilhali hiyo lakini atajikita kwenye maudhui ya ombi, tuhuma zilizomo na idadi ya sahihi zilizoambathishwa.

(4) A Member having presented a Petition shall, without question put, lay the Petition on the Table of the House.

(5) A Member presenting a Petition shall not speak for more than five minutes, unless with permission of the Speaker.

Comments on petitions

226. The Speaker may allow comments, observations or clarifications in relation to a Petition presented or reported and such total time shall not exceed thirty minutes.

Committal of Petitions

227. (1) Every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Departmental Committee.

(2) Whenever a Petition is committed to a Departmental Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the House and no debate on or in relation to the report shall be allowed, but the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petitions for not more than twenty Minutes.

(3) The Clerk shall, within fifteen days of the decision of the House, in writing, notify the petitioner of the decision of the House on the petition.

Copies of responses

228. The Clerk shall forward copies of responses received under Standing Order 227 (*Committal of Petitions*) to the petitioner or petitioners.

Register of Petitions

229. (1) The Clerk shall keep and maintain a register in which shall be recorded all petitions and supporting documents, and the decisions of the House.

(2) The register of petitions under paragraph (1) shall be accessible to the public during working hours.

(4) Mbunge aliyewasilisha Ardhillhali, ataiweka Ardhillhali hiyo kwenye Meza bila kulihoji Bunge la Taifa.

(5) Mbunge anayewasilisha Ardhillhali hataongea kwa zaidi ya dakika tano isipokuwa kwa ruhusa ya Spika.

Maoni kuhusu Ardhillhali

226. Spika anaweza kuruhusu maoni, mapendekezo au ufafanuzi kuhusu Ardhillhali iliyowasilishwa au kuripotiwa na muda utakaotumika kwa ajili hiyo hautazidi dakika thelathini.

Ardhillhali kukabidhiwa Kamati

227. (1) Kila Ardhillhali itakayowasilishwa au kuripotiwa kwa mujibu wa Sehemu hii itakabidhiwa Kamati ya Kiidara inayohusika.

(2) Kila mara Kamati ya Kiidara inapokabidhiwa Ardhillhali, itahitajika kumjibu mwenye Ardhillhali katika muda usiozidi siku sitini za Ardhillhali kuwasilishwa katika Bunge la Taifa kupitia ripoti kwa mwenye au wenye Ardhillhali na kuwekwa kwenye Meza na mjadala kuhusu ripoti hiyo hautaruhusiwa isipokuwa Spika, katika hali za kipekee, anaweza kuruhusu maoni yatolewe kuhusiana na Ardhillhali kwa muda usiozidi dakika ishirini.

(3) Katibu, katika muda usiozidi siku kumi na tano za uamuzi wa Bunge la Taifa, atamuarifu mwenye Ardhillhali kwa maandishi kuhusu uamuzi wa Bunge la Taifa kuhusu Ardhillhali yake.

Nakala za majibu

228. Katibu atawatumia wenye Ardhillhali nakala za majibu alizopokea kwa mujibu wa Kanuni ya 227 (*Ardhillhali kukabidhiwa Kamati*).

Sajili ya Ardhillhali

229. (1) Katibu atahifadhi sajili ambamo kutarekodiwa Ardhillhali zote na nyaraka zilizoambathishwa na maamuzi ya Bunge la Taifa.

(2) Sajili ya Ardhillhali kwa mujibu wa aya ya (1) itakuwa wazi kwa umma saa za kazi.

PART XXIII A

PETITION FOR REMOVAL OF A MEMBER OF A COMMISSION OR INDEPENDENT OFFICE

Petitions for Removal of a member of a Commission or holder of an Independent Office

230. (1) In addition to complying with the requirements of paragraphs (a), (b), (c), (d), (h), (i), (j), (l) and (m) of Standing Order 223 (Form of Petition), a petition to the House for removal of a member of a Commission or holder of an Independent Office under Article 251 of the Constitution —

(a) shall—

(i) indicate the grounds under Article 251(1) of the Constitution which the member of the commission or holder of an Independent Office is in breach;

(ii) where the grounds in subparagraph (i) above relate to violation of the Constitution or any other law, state with a degree of precision the provisions of the Constitution or any other written law that have been alleged to be violated;

(iii) indicate the nexus between the member or office holder concerned and the alleged grounds on which removal is sought; and

(b) may contain affidavits or other documents annexed to it.

(2) The paragraphs (1), (3), (4) and (5) of Standing Order 220 (*Submission of a petition*), Standing Order 222 (*Notice of Intention to Present Petition*), Standing Order 225 (*Presentation of Petitions*), and Standing Order 226 (*Comments on petitions*), shall apply to a petition to the House for removal of a member of a Commission under Article 251 of the Constitution.

(3) Every Petition presented or reported pursuant to this Standing Order shall stand committed to the relevant Departmental Committee.

SEHEMU YA XXIII A

ARDHILHALI YA KUMWONDOA MJUMBE WA TUME AU OFISI HURU

Ardhilhali ya kumwondoa Mamlakani Mjumbe wa Tume au ofisa wa Ofisi Huru

230. (1) Pamoja na kufuata masharti ya aya ya (a), (b), (c), (d), (h), (i), (j), (l) na (m) ya Kanuni ya 223 (Muundo wa Ardhillhali), Ardhillhali kwa Bunge la Taifa ya kutaka kumwondoa mamlakani mjumbe wa Tume au ofisa wa Ofisi Huru kwa mujibu wa Ibara ya 251 ya Katiba—

(a) italazimika—

(i) kuonyesha sababu zilizo rodheshwa katika Ibara ya 251(1) ya Katiba ambayo mjumbe huyo wa Tume au ofisa wa Ofisi Huru amezikiuka;

(ii) kueleza kwa usahihi vifungu vya Katiba au sheria nyingine yoyote ambayo inadaiwa kukiukwa pale ambapo sababu zilizo rodheshwa katika aya ya 1(a)(i) zinahusiana na ukiukaji wa Katiba au sheria;

(iii) kuonyesha uhusiano wa moja kwa moja baina ya mjumbe au ofisa huyo na madai yaliyotolewa ili kumwondoa mamlakani; na

(b) inaweza kuambatisha hati za viapo au nyaraka nyingine.

(2) Aya ya (1), (3), (4) na (5) ya Kanuni ya 220 (*Kuwasilishwa kwa Ardhillhali*), Kanuni ya 222 (*Arifa ya Nia ya kuwasilisha Ardhillhali*), Kanuni ya 225 (*Uwasilishaji wa Ardhillhali*), na Kanuni ya 226 (*Maoni kwa Ardhillhali*), zitatumika kwa Ardhillhali kwa Bunge la Taifa kumwondoa mamlakani mjumbe wa Tume kwa mujibu wa Ibara ya 251 ya Katiba.

(3) Kila Ardhillhali inayowasilishwa au kuripotiwa kwa mujibu wa Kanuni hii itakabidhiwa Kamati ya Kiidara inayohusika.

(4) Upon receipt of a petition under paragraph (3), the relevant Departmental Committee shall investigate the matter and shall, within fourteen days, report to the House whether the petition discloses ground for removal under Article 251(a) of the Constitution.

(5) The House shall, within ten days of the tabling of the report of the committee under paragraph (4) resolve whether or not the petition discloses a ground for removal under Article 251(a) of the Constitution.

(6) Where the House resolves that a petition discloses a ground for removal, the Speaker shall, within seven days of the resolution, transmit the resolution and the petition to the President.

(7) Consideration of a Petition under this Standing Order shall not lapse at the expiry of a term of Parliament.

PART XXIV

FINANCIAL PROCEDURES

Restrictions with regard to certain financial measures

231.(1) If, in the opinion of the Speaker, a motion makes provision for a matter listed in the definition of “a money Bill” in terms of Article 114 of the Constitution, the Assembly may proceed only with the recommendation of the Budget and Appropriations Committee after taking into account, the views of the Cabinet Secretary responsible for finance.

(2) “A money Bill”, as provided for in Article 114 of the Constitution means a Bill, other than a Division of Revenue Bill or a County Allocation of Revenue Bill both provided for in Article 218 of the Constitution, that contains provisions dealing with—

(4) Baada ya kupokea Ardhillhali kwa mujibu wa aya ya (3), Kamati ya Kiidara inayohusika itachunguza suala hilo na, katika muda usiozidi siku kumi na nne, itaripoti katika Bunge la Taifa iwapo Ardhillhali inabainisha sababu za kumwondoa mamlakani mjumbe wa Tume au ofisa wa Ofisi Huru kwa mujibu wa Ibara ya 251(a) ya Katiba.

(5) Katika muda usiozidi siku kumi kufuatia kuwasilishwa kwa ripoti ya kamati kwa mujibu wa aya ya (4), Bunge la Taifa litaamua iwapo Ardhillhali inabainisha au haibainishi sababu za kumwondoa mamlakani mjumbe wa Tume au ofisa wa Ofisi Huru kwa mujibu wa Ibara ya 251(a) ya Katiba.

(6) Pale ambapo Bunge la Taifa litaamua kwamba Ardhillhali imebainisha sababu za kumwondoa mamlakani mjumbe wa Tume au ofisa wa Ofisi Huru, Spika, katika muda usiozidi siku saba kufuatia uamuzi huo, atapeleka uamuzi pamoja na Ardhillhali kwa Rais.

(7) Ushughulikiaji wa Ardhillhali kwa mujibu wa Kanuni hii hautatanguka muhula wa Bunge utakapoisha.

SEHEMU YA XXIV

UTARATIBU WA MASUALA YA FEDHA

Udhibiti wa masuala mahususi ya kifedha

231.(1) Iwapo kwa maoni ya Spika, Hoja inahusu suala lililorejewa katika fasili ya “Mswada unaohusu masuala ya fedha” kwa mujibu wa Ibara ya 114 ya Katiba, suala hilo linaweza kushughulikiwa na Bunge la Taifa kwa kuzingatia mapendekezo ya Kamati ya Bajeti na Uidhinishaji wa Matumizi kwa kutilia maanani maoni ya Waziri anayehusika na masuala ya fedha.

(2) “Mswada unaohusu masuala ya fedha” kama ilivyoelezwa katika Ibara ya 114 ya Katiba ina maana ya Mswada, isipokuwa Mswada wa Kugawa Mapato au Mswada wa Kutenga Mapato kwa Kaunti ambayo imetajwa katika Ibara ya 218 ya Katiba, wenye vipengele vinavyohusu—

- (a) taxes;
 - (b) the imposition of charges on a public fund or the variation or repeal of any of those charges;
 - (c) the appropriation, receipt, custody, investment or issue of public money;
 - (d) the raising or guaranteeing of any loan or its repayment; or
 - (e) matters incidental to any of those matters.
- (3) In paragraph (2), “tax”, “public money”, and “loan” do not include any tax, public money or loan raised by a county.

Presentation of Budget Policy Statement and the Debt Management Strategy

232. (1) Every year not later than 15th February the Cabinet Secretary responsible for Finance shall submit to the House a Budget Policy Statement and a Debt Management Strategy and shall be deemed to have been laid.

(2) The Budget Policy Statement shall include—

- (a) an assessment of the current state of the economy and the financial outlook over the medium term, including macro-economic forecasts;
- (b) the financial outlook with respect to Government revenues, expenditures and borrowing for the next financial year and over the medium term;
- (c) the proposed expenditure limits for the national government, including those of Parliament and the Judiciary and indicative transfers to county governments;
- (d) the fiscal responsibility principles and financial objectives over the medium term including limits on total annual debt;

- (a) kodi;
 - (b) kutoza ada kwenye fedha za umma au kubadilisha au kufuta ada hizo;
 - (c) kutumia, kupokea, kuhifadhi, kuwekeza au kutoa pesa za umma;
 - (d) kuchukua au kudhamini mkopo wowote au ulipaji wa mkopo; au
 - (e) masuala mengine yanayotokana na masuala hayo.
- (3) Katika aya ya (2), “kodi”, “pesa za umma”, na “mkopo”, hazijumuishi kodi, pesa za umma au mkopo unaochukuliwa na serikali za kaunti.

Kuwasilishwa kwa Taarifa ya Sera ya Bajeti na Mkakati wa Kudhibiti Deni

232. (1) Kila mwaka na isiwe baada ya tarehe 15 Februari Waziri anayehusika na masuala ya fedha atawasilisha katika Bunge la Taifa Taarifa ya Sera ya Bajeti na Mkakati wa Kudhibiti Deni na itachukuliwa kama imewasilishwa kwenye Meza.

(2) Taarifa ya Sera ya Bajeti itajumuisha—

- (a) tathmini ya hali ya uchumi kwa wakati huo na mwelekeo wa hali ya kifedha kwa kipindi cha muda wastani ikijumuisha makisio ya hali pana ya uchumi;
- (b) mwelekeo wa hali ya kifedha kuhusu mapato ya Serikali, matumizi na ukopaji kwa mwaka wa fedha unaofuata na katika kipindi cha muda wastani;
- (c) mapendekezo ya ukomo wa matumizi kwa serikali ya taifa, ikijumuisha matumizi ya Bunge na Mahakama na hawilisho kwa serikali za kaunti;
- (d) kanuni za uwajibikaji wa kifedha na malengo ya kifedha katika kipindi cha muda wastani ikijumuisha ukomo wa deni la jumla la mwaka;

(e) the total resources to be allocated to individual programmes and projects within a sector, Ministry or department for the period identified under sub-paragraph (a) indicating the outputs expected from each such programme or project during the period; and

(f) a list of proposed projects for the period identified under sub-paragraph (a) indicating their respective expenditure ceilings, reconcilable to the total proposed ceilings for development expenditure.

(3) The Budget Policy Statement shall detail the criteria used to allocate or apportion the available public resources among the various programmes and projects.

(4) The Debt Management Strategy shall include—

(a) the total stock of debt as at the date of the statement;

(b) the sources of loans made to the national government and the nature of guarantees given by the national government;

(c) the principal risks associated with those loans and guarantees;

(d) the assumptions underlying the debt management strategy; and

(e) an analysis of the sustainability of the amount of debt, both actual and potential.

(5) Upon being laid before the House, the Budget Policy Statement shall stand committed to each Departmental Committee to consider and make recommendations to the Budget and Appropriations Committee within seven days of committal.

(6) The Debt Management Strategy shall be committed to the Budget and Appropriation Committee.

(e) jumla ya rasilimali zitakazotengwa kwa ajili ya kila mpango na mradi ndani ya sekta, Wizara au idara katika kipindi kilichotajwa kwenye aya ndogo ya (a) ikibainisha matokeo yanayotarajiwa kutoka kwa kila mpango au mradi katika kipindi hicho; na

(f) orodha ya miradi inayopendekezwa katika kipindi kilichotajwa kwenye aya ya (2)(a) ikitaja ukomo wa matumizi yake ambao unawiana na jumla ya ukomo uliopendekezwa kwa ajili ya matumizi ya maendeleo.

(3) Taarifa ya Sera ya Bajeti itaeleza vigezo vitakavyotumika kutenga au kugawa rasilimali za umma zilizopo kwa mipango na miradi mbalimbali.

(4) Mkakati wa Kudhibiti Deni utajumuisha—

(a) jumla ya deni lote hadi kufikia tarehe ya kuwasilisha Taarifa ya Sera ya Bajeti;

(b) vyanzo vya mikopo iliyotolewa kwa serikali ya taifa na aina ya dhamana zilizotolewa na serikali ya taifa;

(c) hatari kuu zinazohusiana na mikopo hiyo na dhamana zake;

(d) makisio yaliyo msingi wa Mkakati wa Kudhibiti Deni; na

(e) utathmini wa uhimilivu wa kiwango cha deni, ikiwemo deni halisi na linalotarajiwa.

(5) Baada ya Taarifa ya Sera ya Bajeti kuwasilishwa kwenye Meza, taarifa hiyo itakabidhiwa kila Kamati ya Kiidara kwa ajili ya kuishughulikia na kutoa mapendekezo kwa Kamati ya Bajeti na Uidhinishaji wa Matumizi, katika muda usiozidi siku saba baada ya kupokea taarifa hiyo.

(6) Mkakati wa Kudhibiti Deni utakabidhiwa Kamati ya Bajeti na Uidhinishaji wa Matumizi.

(7) Within fourteen (14) days following the tabling of the Budget Policy Statement, the Budget and Appropriations Committee shall table a report in the House for consideration in accordance with the provisions of Section 25(7) of the Public Finance Management Act.

(8) In addition to the recommendation of the Committee, the report under paragraph (7) shall contain—

- (a) a schedule showing the vertical allocation of resources amongst the two levels of government;
- (b) the ceilings of resources recommended for the National Government, the Judiciary and Parliament; and
- (c) a recommendation on the overall debt strategy for the next financial year and the medium term.

(9) The approval by the House of the motion on the report of the Budget and Appropriations Committee on the Budget Policy Statement shall constitute the House Resolution setting forth the total overall projected revenue and borrowing, vertical allocation of resources among the two levels of government, the ceilings recommended for the National Government, the Judiciary and Parliament and where necessary, the total sums for each Vote and the allocations to individual programmes for the fiscal year in question.

(10) The resolution of the House on the Budget Policy Statement shall serve as a basis of the proposed estimates of expenditure for the next financial year and the medium term.

(7) Katika muda usiozidi siku kumi na nne baada ya kuwasilishwa kwa Taarifa ya Sera ya Bajeti katika Bunge la Taifa, Kamati ya Bajeti na Uidhinishaji wa Matumizi itawasilisha ripoti kwenye Meza ili ishughulikiwe kwa mujibu wa masharti ya kifungu cha 25(7) cha Sheria ya Usimamizi wa Fedha za Umma.

(8) Pamoja na mapendekezo ya kamati, ripoti itakayowasilishwa kwa mujibu wa aya ya (7) itakuwa na—

- (a) jedwali linaloonyesha mgao wa rasilimali kati ya serikali ya taifa na serikali za kaunti;
- (b) ukomo wa jumla wa rasilimali ambao umependekezewa kwa ajili ya Serikali ya Taifa, Mahakama na Bunge; na
- (c) pendekezo la Mkakati wa Kudhibiti Deni kwa mwaka wa fedha unaofuata na kipindi cha muda wastani.

(9) Idhini ya Bunge la Taifa kwa Hoja kuhusu ripoti ya Kamati ya Bajeti na Uidhinishaji wa Matumizi kwenye Taarifa ya Sera ya Bajeti itakuwa ndio Uamuzi wa Bunge la Taifa utakaotaja jumla ya makisio ya mapato na ukopaji, mgao wa rasilimali kati ya Serikali ya Taifa na serikali za kaunti, ukomo uliopendekezewa Serikali ya Taifa, Mahakama na Bunge na, pale ambapo itahitajika itaonyesha jumla ya mgao kwa kila Fungu na migao kwa kila mpango katika mwaka wa fedha unaohusika.

(10) Uamuzi wa Bunge la Taifa kuhusu Taarifa ya Sera ya Bajeti utatumika kama msingi wa mapendekezo ya makadirio ya matumizi kwa mwaka wa fedha unaofuata na kipindi cha muda wastani.

Consideration of Division of Revenue Bill

233. (1) Every year, not later than 10th March, there shall be introduced in National Assembly a Division of Revenue Bill, which shall divide revenue raised by the national government among the national and county levels of government in accordance with the Constitution.

(2) A Bill required by paragraph (1) shall be accompanied by a memorandum setting out—

- (i) an explanation of revenue allocation as proposed by the Bill;
- (ii) an evaluation of the Bill in relation to the criteria mentioned in Article 203 (1) of the Constitution; and
- (iii) a summary of any significant deviation from the Commission on Revenue Allocation's recommendations, with an explanation for each such deviation.

(3) The National Assembly shall proceed upon and conclude its consideration of a Division of Revenue Bill not later than ten sitting days after the Bill has been introduced with a view to passing it, with or without amendments.

(3A) In considering a Division of Revenue Bill, the House shall take into account any recommendation submitted by the Commission on Revenue Allocation, pursuant to provisions of Article 205 of the Constitution.

(4) The Division of Revenue Bill, having been passed by the National Assembly, shall stand referred to the Senate in accordance with Standing Order 142 (*Concurrence of the other House*).

Kushughulikia Mswada wa Kugawa Mapato

233. (1) Kila mwaka, isiwe baada ya tarehe 10 Machi, Mswada wa Kugawa Mapato utawasilishwa katika Bunge la Taifa na utagawa mapato yaliyokusanywa na Serikali ya Taifa kati ya Serikali ya Taifa na serikali za kaunti kwa mujibu wa Katiba.

(2) Mswada unaohitajika kwa mujibu wa aya ya (1) utaambathishwa maelezo yatakatobainisha—

- (i) ufafanuzi kuhusu mgao wa mapato kama ilivyopendekezwa na Mswada;
- (ii) tathmini ya Mswada kuhusiana na vigezo vilivyotajwa katika Ibara ya 203(1) ya Katiba; na
- (iii) muhtasari wa kiwango cha kutozingatia mapendekezo ya Tume ya Ugavi wa Mapato pamoja na maelezo ya kila hali ya kutozingatiwa huko.

(3) Bunge la Taifa litashughulikia Mswada wa Kugawa Mapato katika muda usiozidi siku kumi za vikao baada ya kukabidhiwa Mswada huo kwa ajili ya kuupitisha ukiwa na marekebisho au bila marekebisho.

(3A) Katika kushughulikia Mswada wa Kugawa Mapato, Bunge la Taifa litazingatia mapendekezo yoyote yaliyowasilishwa kwa Tume ya Ugavi wa Mapato, kwa mujibu wa Ibara ya 205 ya Katiba.

(4) Mswada wa Kugawa Mapato, ukishapitishwa na Bunge la Taifa, utapelekwa Seneti kwa mujibu wa Kanuni ya 142 (*Maafikiano na Seneti*).

Consideration of County Allocation of Revenue Bill

234. (1) Whenever the County Allocation of Revenue Bill is referred to the House, the House shall consider the Bill within ten days and the provisions of Article 111 of the Constitution shall apply.

(2) In considering a County Allocation of Revenue Bill, the House shall take into account any recommendation submitted by the Commission on Revenue Allocation, pursuant to the provisions of Article 205 of the Constitution.

Presentation of Budget Estimates and committal to Committees

235. (1) The Cabinet Secretary responsible for Finance, the Accounting Officer of the Parliamentary Service Commission and the Chief Registrar of the Judiciary shall, not later than 30th April, respectively submit to the National Assembly Budget Estimates and related documents specified in law for the National Government, the Judiciary and Parliament.

(2) The budget estimates referred to in paragraph (1) shall include the estimates of expenditure from the equalization fund pursuant to Article 221(2) of the Constitution.

(3) The Estimates and related documents submitted under Paragraph (1) and (2) shall be tabled in the National Assembly within three days of submission.

(4) Upon being laid before the House—

(a) the Estimates under paragraph (1) shall stand committed to each Departmental Committee to consider and make recommendations to the Budget and Appropriations Committee within twenty one days of committal;

Kushughulikia Mswada wa Kutenga Mapato kwa Kaunti

234. (1) Kila wakati Mswada wa Kutenga Mapato kwa Kaunti unapowasilishwa katika Bunge la Taifa, Bunge la Taifa litaushughulikia Mswada huo katika muda usiozidi siku kumi na masharti ya Ibara ya 111 ya Katiba yatumika.

(2) Katika kushughulikia Mswada wa Kutenga Mapato kwa Kaunti, Bunge la Taifa litazingatia mapendekezo yaliyowasilishwa na Tume ya Ugavi wa Mapato kwa mujibu wa Ibara ya 205 ya Katiba.

Uwasilishaji wa Makadirio ya Bajeti na Kukabidhiwa Kamati

235. (1) Waziri anayehusika na masuala ya Fedha, Ofisa Masuuli wa Tume ya Huduma za Bunge na Msajili Mkuu wa Mahakama watawasilisha katika Bunge la Taifa Makadirio ya Bajeti na hati nyingine zinazohitajika kisheria zinazohusiana na Serikali ya Taifa, Mahakama na Bunge isiwe baada ya tarehe 30 Aprili.

(2) Makadirio ya bajeti yanayotajwa katika aya ya (1) yatajumuisha makadirio ya matumizi kutoka kwenye Hazina ya Usawazishaji kwa mujibu wa Ibara ya 221(2) ya Katiba.

(3) Makadirio ya Bajeti na nyaraka zinazohusu makadirio hayo zilizowasilishwa kwa mujibu wa aya ya (1) na (2) yatawasilishwa kwenye Meza katika muda usiozidi siku tatu baada ya kuwasilishwa kwake.

(4) Baada ya kuwasilishwa kwenye Meza

(a) Makadirio ya Bajeti kwa mujibu wa aya ya (1) yatakabidhiwa kila Kamati ya Kiidara kwa ajili ya kuyashughulikia na kutoa mapendekezo kwa Kamati ya Bajeti na Uidhinishaji wa Matumizi, katika muda usiozidi ya siku ishirini na moja baada ya kupokea Makadirio hayo.

(b) the Estimates under paragraph (2) shall stand committed to Budget and Appropriations Committee to consider and make recommendations to the House together with the report of the Committee on the Budget Estimates.

(5) The Budget and Appropriations Committee shall discuss and review the Budget Estimates and the Estimates of Expenditure from the Equalization Fund and make recommendations to the National Assembly, taking into account the recommendations of the Departmental Committees, the views of the Cabinet Secretary and the public.

Committee of Supply

236. The Committee of Supply shall be a Committee of the whole House.

Definition of day

237. For the purposes of this Part, a day shall be deemed to consist of any period of not more than three hours prior to 1.00 p.m. or of not more than three hours between 2.30 p.m. and 7.30 p.m. or of not more than three hours after 7.30 p.m.

238. *(Deleted)*

Moving into Committee of Supply

239. On an Order of the Day for Committee of Supply being read, the Chairperson of the Budget and Appropriations Committee or a Member designated by the Committee shall move the motion **“The House do approve the Report of the Budget and Appropriations Committee on the Budget Estimates for the financial year..... and the Estimates of Expenditure from the Equalization Fund and the allocations to the respective votes and programmes as contained in the Schedule”** with necessary modifications, where applicable.

(b) Makadirio kwa mujibu wa aya ya (2) yatakabidhiwa Kamati ya Bajeti na Uidhinishaji wa Matumizi kwa ajili ya kuyashughulikia na kutoa mapendekezo katika Bunge la Taifa pamoja na ripoti ya Kamati kwenye Makadirio ya Bajeti.

(5) Kamati ya Bajeti na Uidhinishaji wa Matumizi itajadili na kuhakiki Makadirio ya Bajeti na Makadirio ya Matumizi kutoka kwa Hazina ya Usawazishaji na kutoa mapendekezo katika Bunge la Taifa, ikizingatia mapendekezo ya Kamati za Kiidara, maoni ya Waziri anayehusika na masuala ya fedha pamoja na maoni ya umma.

Kamati ya Ugavi wa Fedha

236. Kamati ya Ugavi wa Fedha itakuwa ni Kamati ya Bunge Zima.

Fasili ya siku

237. Kwa ajili ya matumizi ya Sehemu hii, siku itachukuliwa kujumuisha kipindi chochote kisichozidi saa tatu kabla ya saa 7.00 mchana au muda usiozidi saa tatu kati ya saa 8.30 alasiri na saa 1.30 jioni au muda usiozidi saa tatu baada ya saa 1.30 jioni.

238. *(Imefutwa)*

Kuingia katika hatua ya Kamati ya Ugavi wa Fedha

239. Shughuli ya Kamati ya Ugavi wa Fedha inaposomwa, Mwenyekiti wa Kamati ya Bajeti na Uidhinishaji wa Matumizi au Mjumbe aliyeteuliwa na Kamati atatoa Hoja **“Kwamba Bunge la Taifa liidhinishhe Ripoti ya Kamati ya Bajeti na Uidhinishaji wa Matumizi kuhusu Makadirio ya Bajeti kwa mwaka wa fedha wa na Makadiro ya Matumizi kutoka kwa Hazina ya Usawazishaji na migao kwa mafungu yanayohusika na mipango iliyoorodheshwa kwenye Nyongeza”** kwa kufanyiwa mabadiliko kadri itakavyohitajika.

Consideration of Estimates in the Committee of Supply

240. (1) The report of the Budget and Appropriations Committee on the Budget Estimates and the Estimates of Expenditure from the Equalization Fund shall be considered in the Committee of Supply upon a motion that “The House do approve the Report of the Budget and Appropriations Committee on the Budget Estimates for the financial year..... and the Estimates of Expenditure from the Equalization Fund and the allocations to the respective votes and programmes as contained in the Schedule” with necessary modifications, where applicable.

(2) The Chairperson shall propose a question on each of the Votes or programmes.

(3) In considering the Estimates, the House shall take into consideration its resolutions on the Budget Policy Statement and ensure that—

(a) an increase in expenditure in a proposed appropriation is balanced by a reduction in expenditure in another proposed appropriation; or

(b) a proposed reduction in expenditure is used to reduce a deficit in the Budget.

(4) An amendment to any vote to increase or reduce the sum allotted to any programme or the vote may only be moved in accordance with the recommendation of the Budget and Appropriations Committee.

(5) An amendment in the Committee of Supply may be in the form of a motion **“That the Vote..... be increased/reduced by Ksh (in respect of programme)”** or in such a form as the Speaker may approve.

Kushughulikia Makadirio kwenye Kamati ya Ugavi wa Fedha

240. (1) Ripoti ya Kamati ya Bajeti na Uidhinishaji wa Matumizi kwa Makadirio ya Bajeti na Makadirio ya Matumizi kutoka kwa Hazina ya Usawazishaji itashughulikiwa kwenye Kamati ya Ugavi wa Fedha baada ya Hoja kutolewa “Kwamba Bunge la Taifa liidhinishhe ripoti ya Kamati ya Bajeti na Uidhinishaji wa Matumizi kuhusu Makadirio ya Bajeti kwa mwaka wa fedha na Makadirio ya Matumizi kutoka kwa Hazina ya Usawazishaji na migao kwa mafungu yanayohusika na mipango iliyoorodheshwa kwenye Nyongeza” kwa kufanyiwa mabadiliko kadri itakavyohitajika.

(2) Mwenyekiti atapendekeza Hoja ili iamuliwe kwa kila Fungu au mpango.

(3) Katika kushughulikia Makadirio, Bunge la Taifa litazingatia maamuzi yake kwenye Taarifa ya Sera ya Bajeti na kuhakikisha kwamba—

(a) ongezeko la matumizi kwenye mgao uliopendekezwa limesawazishwa kwa kupunguza matumizi kwenye mgao mwingine uliopendekezwa; au

(b) punguzo lililopendekezwa kwenye matumizi linatumika kupunguza nakisi katika Bajeti.

(4) Rekebisho kwa Fungu lolote kwa ajili ya kuongeza au kupunguza fedha zilizotengwa kwenye mpango wowote au fungu hilo linaweza kuwasilishwa tu kwa kuzingatia mapendekezo ya Kamati ya Bajeti na Uidhinishaji wa Matumizi.

(5) Rekebisho kwenye Kamati ya Ugavi wa Fedha linaweza kuwa kwa muundo wa Hoja **“Kwamba Fungu liongezwe/lipunguzwe kwa Shilingi (kuhusu mpango....)”** au kwa namna itakayoidhinishwa na Spika.

(6) An amendment to leave out a Vote shall not be in order, and shall not be placed on the Order Paper, and a Member desiring to do so should instead oppose the approval of the Vote.

(7) When notice has been given of two or more amendments to reduce the same item, sub-head, or a vote, they shall be placed in the Order Paper and considered in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case. The reduced amount in respect of a Vote may be transferred to another Vote provided that other Vote has not been disposed of.

(8) Debate on every amendment shall be confined to the item, sub-head or the Vote to which the amendment refers, and after an amendment to an item or sub-head has been disposed of, no amendment or debate on a previous item or sub-head of that Vote shall be permitted.

(9) On the last of the allotted days, being a day before the 26th June, the Chairperson shall, one hour before the time for the interruption of business, forthwith put every question necessary to dispose of the debate for approval of the Vote then under consideration, and shall then forthwith put severally the questions necessary to dispose of every Vote not yet granted; and if at that time the House is not in Committee, the House shall forthwith move into committee without question put, for that purpose.

(10) On any day upon which the Chairperson is under this order directed to put forthwith any question, the consideration of the business of Supply shall not be anticipated by a Motion for the adjournment of the House, and no dilatory Motion shall be moved in relation to that business, and the business shall not be interrupted under any Standing Order.

(6) Rekebisho la kuondoa Fungu halitaruhusiwa na halitawekwa kwenye Ratiba ya Shughuli na badala yake, Mbunge anayekusudia kulitoa anaweza kupinga idhinisho la Fungu hilo.

(7) Pale ambapo Arifa ya marekebisho mawili au zaidi imetolewa ili kupunguza kipengele, kifungu kidogo au Fungu hilo, marekebisho hayo yatawekwa kwenye Ratiba ya Shughuli na yatashughulikiwa kwa kuzingatia kiasi cha punguzo kilichopendekezwa, ambapo rekebisho linalopendekeza punguzo kubwa zaidi litapewa kipaumbele kwa kila hali na kiasi cha fedha kilichopunguzwa kuhusiana na Fungu lolote kinaweza kuhamishwa kwenda Fungu lingine ilimradi Fungu hilo liwe halijashughulikiwa.

(8) Mjadala kwa kila rekebisho utajikita katika kipengele, kifungu kidogo au Fungu linalohusika na baada ya rekebisho kwenye kipengele, kifungu kidogo au Fungu kukamilika, hakuna rekebisho au mjadala utakaoruhusiwa kuhusu kipengele au kifungu kidogo ambacho kimeshashughulikiwa katika Fungu hilo.

(9) Siku ya mwisho ya Siku Tengwa, ambayo itakuwa kabla ya tarehe 26 Juni, saa moja kabla ya muda wa kusitisha shughuli, Mwenyekiti atatoa Hoja ili mjadala wa kuidhinisha Fungu linaloshughulikiwa, na mara moja atatoa Hoja ziamuliwe kwa kila Fungu ambalo halijaidhinishwa na iwapo wakati huo Bunge la Taifa haliko kwenye Kamati ya Bunge Zima, Bunge la Taifa litaingia kwenye hatua ya kamati mara moja bila Hoja kutolewa, kwa ajili hiyo.

(10) Siku yoyote ambayo Mwenyekiti ameelekezwa na kanuni hii kutoa Hoja yoyote iamuliwe, ushughulikaji wa shughuli ya Ugavi wa Fedha hautawahishwa kupitia Hoja ya kuahirisha Bunge la Taifa na Hoja ya kuahirisha mjadala unaohusiana na shughuli hiyo haitatolewa, na shughuli hiyo haitasitishwa kwa mujibu wa Kanuni yoyote.

(11) When all amendments in respect of all Votes have been disposed of, the Chairperson shall again propose the question **“The House do approve the Report of the Budget and Appropriations Committee on the Budget Estimates for the financial year.....and the Estimates of Expenditure from the Equalization Fund and the allocations to the respective votes and programmes as contained in the Schedule”** with necessary modifications, where applicable.

(12) At the conclusion of the debate the Chairperson shall put the question referred to in paragraph (11) and report to the House forthwith.

Consideration of Supply Resolutions

240A. (1) The report or any resolution of the Committee of Supply shall be considered upon a Motion, **“That, the House do agree with the Committee in the said resolution.”**

(2) The question on any Motion moved under paragraph (1) shall be put forthwith, no amendment, adjournment or debate being allowed, unless a Member desires to amend or to add to the resolution in which case the Member may propose an amendment to add, at the end of the Motion, the words **“subject to the re-committal of the resolution (in respect of some specific Vote or programme) to the Committee of Supply.”**

(3) If the Motion is agreed to with the Member’s amendment, the resolution shall stand re-committed to the Committee of Supply and the House shall either forthwith or upon a day determined by the Speaker dissolve itself into Committee of Supply to consider the resolution so re-committed.

(4) When any resolution of the Committee of Supply has been re-committed to the Committee, the Committee shall consider only the matters in respect of which it was so re-committed and any matter directly consequential thereon.

(11) Wakati ambapo marekebisho kuhusu Mafungu yameshughulikiwa, Mwenyekiti atapendekeza Hoja **“Kwamba Bunge la Taifa liidhinisha Ripoti ya Kamati ya Bajeti na Uidhinishaji wa Matumizi kuhusu Makadirio ya Bajeti kwa mwaka wa fedha.... na Makadirio ya Matumizi kutoka kwa Hazina ya Usawazishaji na mgao kwa kila Fungu na mipango iliyoorodheshwa kwenye Nyongeza”** kwa kufanyiwa mabadiliko kadri itakavyohitajika.

(12) Mjadala unapohitimishwa, Mwenyekiti atatoa Hoja iamuliwe na kamati iliyotajwa kwenye aya ya (11) na kuripoti kwa Bunge la Taifa mara moja.

Kushughulikia Maamuzi ya Ugavi wa Fedha

240A. (1) Ripoti au uamuzi wowote wa Kamati ya Matumizi utashughulikiwa kufuatia Hoja, **“Kwamba, Bunge la Taifa likubaliane na uamuzi wa Kamati.”**

(2) Hoja itakayotolewa kwa mujibu wa aya ya (1) itaamuliwa mara moja bila kuruhusu rekebicho, ahirisho au mjadala, isipokuwa kama Mbunge yeyote atakusudia kurekebisha au kuongeza kwenye uamuzi anaweza kupendekeza kuongeza mwishoni mwa Hoja maneno **“kwa sharti kwamba uamuzi (kuhusu Fungu au mpango mahususi) lirejeshwe tena kwenye Kamati ya Ugavi wa Fedha.”**

(3) Iwapo Hoja imekubalika pamoja na marekebisho ya Mbunge, uamuzi utarejeshwa kwenye Kamati ya Ugavi wa Fedha na Bunge la Taifa litarejea kwenye Kamati ya Ugavi wa Fedha mara moja au siku ambayo Spika ataamua ili kushughulikia uamuzi uliorejeshwa.

(4) Pale ambapo uamuzi wowote umerejeshwa kwenye Kamati ya Ugavi wa Fedha, Kamati itashughulikia masuala yaliyorejeshwa pekee na suala lolote ambalo linaathiriwa moja kwa moja na masuala yaliyorejeshwa kwenye Kamati.

(5) Except as provided by paragraph (4) of this Standing Order, paragraphs (2) and (3) of the provisions of this Standing Order shall apply in respect of a resolution so re-committed.

Appropriation Bill and Equalization Fund Appropriation Bill

240B. (1) The resolution of the House on the Budget Estimates and Estimates of Expenditure from the Equalization Fund shall serve as a basis of the Appropriation Bill and the Equalization Fund Appropriation Bill.

(2) Upon approval of the budget estimates, the Chairperson of the Budget and Appropriations Committee shall introduce an Appropriation Bill and, whenever necessary, an Equalization Fund Appropriation Bill in the House.

(3) The House may proceed only in accordance with the recommendation of the Budget and Appropriations Committee in respect of any proposed amendment to a Bill under paragraph (1) after consulting the relevant Departmental Committees.

(4) The House shall consider and pass the Appropriation Bill not later than the 26th June of any given year.

241. *(Deleted)*

Vote on Account

242. (1) Following approval of the Budget Estimates, and before the Appropriation Bill is assented to, the National Assembly may authorise withdrawals in accordance with Article 222 of the Constitution, and such authority shall be communicated to the Cabinet Secretary responsible for finance by the Speaker of the National Assembly within seven days of that authority being granted by the National Assembly.

(5) Isipokuwa kwa mujibu wa aya ya (4) ya Kanuni hii, masharti ya aya ya (2) na (3) ya Kanuni hii yatatumika kuhusu uamuzi uliorejeshwa kwenye Kamati.

Mswada wa Kuidhinisha Matumizi ya Fedha na Mswada wa Kuidhinisha Matumizi ya Fedha ya Hazina ya Usawazishaji

240B. (1) Uamuzi wa Bunge la Taifa kwenye Makadirio ya Bajeti na Makadirio ya Matumizi kutoka kwa Hazina ya Usawazishaji utatumika kama msingi wa kuandaa Mswada wa Kuidhinisha Matumizi ya Fedha na Mswada wa Kuidhinisha Matumizi ya Fedha ya Hazina ya Usawazishaji.

(2) Baada ya makadirio ya bajeti kuidhinishwa, Mwenyekiti wa Kamati ya Bajeti na Uidhinishaji wa Matumizi atawasilisha katika Bunge la Taifa Mswada wa Kuidhinisha Matumizi ya Fedha na, iwapo itahitajika, Mswada wa Kuidhinisha Matumizi ya Fedha ya Hazina ya Usawazishaji.

(3) Bunge la Taifa litashughulikia marekebisho yoyote yatakayopendekezwa kwenye Mswada uliotajwa kwenye aya ya (1) kwa kuzingatia mapendekezo ya Kamati ya Bajeti na Uidhinishaji wa Matumizi baada ya kushauriana na kamati za kiidara zinazohusika.

(4) Bunge la Taifa litashughulikia na kupitisha Mswada wa Kuidhinisha Matumizi Fedha na isiwe baada ya tarehe 26 Juni kila mwaka.

241. *(Imefutwa)*

Idhini ya kutoa Fedha

242. (1) Kufuatia kuidhinishwa kwa Makadirio ya Bajeti na kabla ya Mswada wa Kuidhinisha Matumizi ya Fedha kupata kibali cha Rais, Bunge la Taifa linaweza kuidhinisha fedha zitolewe kwenye Hazina Kuu kulingana na Ibara ya 222 ya Katiba na, katika muda usiozidi siku saba baada ya idhini hiyo kutolewa, Spika wa Bunge la Taifa atawasilisha idhini hiyo kwa Waziri anayehusika na masuala ya fedha.

(2) A motion seeking the authorization of withdrawals under paragraph (1) shall be known as a Vote on Account and shall be put down on any day before 30th June.

Procedure on Supplementary Estimates

243. (1) The national government shall submit to the National Assembly for approval a supplementary budget in support of money spent under Article 223 of the Constitution.

(2) The supplementary budget shall include—

(a) a statement showing how the additional expenditure relates to the fiscal responsibility principles and financial objectives; and

(b) a schedule showing the list of programmes or projects that is affected by the proposed supplementary budget.

(3) The procedure applicable to the approval of the Budget Estimates under Standing Order 240 (*Consideration of Estimates in the Committee of Supply*) and 240A (*Consideration of Supply Resolutions*) shall with the necessary modifications, apply to the approval of the Supplementary Estimates.

(4) On any day on which an Order of the Day for Committee of Supply has been set down under this Standing Order, the business of such order shall commence not later than three hours before the time for interruption of business.

244. (*Deleted*)

Approval of expenditure of more than ten percent

244A. (1) Pursuant to the provisions of Article 223(5), the House may, following a request by the National Treasury and upon recommendation of the Budget and Appropriations Committee, by resolution, approve spending of more than ten per cent above the sum appropriated in the Appropriations Act for that financial year.

(2) Hoja ya kuomba idhini ya kutoa fedha kwenye Hazina Kuu kwa mujibu wa aya ya (1) itaitwa Idhini ya Kutoa Fedha na itatolewa siku yoyote kabla ya tarehe 30 Juni.

Utaratibu wa Makadirio ya Ziada

243. (1) Serikali ya Taifa itawasilisha Bajeti ya Ziada kwa Bunge la Taifa kwa ajili ya kuidhinisha bajeti ya ziada ili kuhalalisha fedha ambazo zimetumika kwa mujibu wa Ibara ya 223 ya Katiba.

(2) Bajeti ya Ziada itajumuisha—

(a) taarifa inayoonyesha jinsi matumizi ya ziada yanavyohusiana na kanuni za uwajibikaji wa kifedha na malengo ya kifedha; na

(b) nyongeza inayoonyesha orodha ya mipango au miradi inayoathiriwa na Bajeti ya ziada iliyopendekezwa.

(3) Utaratibu wa kuidhinisha Makadirio ya Bajeti kwa mujibu wa Kanuni ya 240 (*Kushughulikia Makadirio kwenye Kamati ya Ugavi wa Fedha*) na Kanuni ya 240A (*Kushughulikia Maamuzi ya Ugavi wa Fedha*) ukifanyiwa marekebisha kama itakavyohitajika, utatumika kuidhinisha Bajeti ya Ziada.

(4) Siku yoyote ambapo shughuli ya hatua ya Kamati ya Ugavi wa Fedha imewekwa kwenye Ratiba ya Shughuli, shughuli hiyo ianze na isiwe ni baada ya saa tatu kabla ya wakati wa kuahirisha kikao.

244. (*Imefutwa*)

Kuidhinisha matumizi yanayozidi asilimia kumi

244A. (1) Kwa kuzingatia masharti ya Ibara ya 223(5) ya Katiba, kufuatia ombi la Wizara inayohusika na Hazina ya Taifa na pendekezo la Kamati ya Bajeti na Uidhinishaji wa Matumizi, Bunge la Taifa linaweza kupitisha uamuzi kwa ajili ya kuidhinisha matumizi ya fedha yanayozidi asilimia kumi zaidi ya kiasi kilichoidhinishwa kwenye Sheria ya Kuidhinisha Matumizi ya Fedha kwa mwaka huo wa fedha.

(2) The Budget and Appropriations Committee shall satisfy itself that the proposed expenditure under paragraph (1) relates to special circumstances.

Supplementary Appropriation Bill

244B.(1) The resolution of the House on the Supplementary Estimates shall serve as a basis of the Supplementary Appropriation Bill.

(2) Upon approval of the Supplementary Estimates, the Chairperson of the Budget and Appropriations Committee shall introduce a Supplementary Appropriation Bill for consideration by the House.

(3) The procedure applicable to the approval of a Appropriation Bill under Standing Order 240B (Appropriation Bill and Equalization Fund Appropriation Bill) shall with the necessary modifications, apply to the approval of the Supplementary Appropriation Bill.

(4) A Supplementary Appropriation Bill shall contain a schedule showing—

(a) the amounts appropriated in the Appropriation Act; and

(b) the net proposed change arising from the approved supplementary estimates under Standing Order 243 (*Procedure on Supplementary Estimates*) and Standing Order 244A (*Approval of expenditure of more than ten percent*).

Pronouncement of the Budget highlights and Revenue raising measures

244C. (1) The Cabinet Secretary responsible for Finance shall 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.

(2) Kamati ya Bajeti na Uidhinishaji wa Matumizi itajiridhisha kwamba matumizi yanayopendekezwa kwa mujibu ya aya ya (1) yanahusu hali za kipekee.

Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha

244B.(1) Uamuzi wa Bunge la Taifa kuhusu Makadirio ya Nyongeza litakuwa msingi wa kuandaa Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha.

(2) Makadirio ya Ziada yanapoidhinishwa, Mwenyekiti wa Kamati ya Bajeti na Uidhinishaji wa Matumizi atawasilisha katika Bunge la Taifa Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha ili ushughulikiwe.

(3) Utaratibu wa kuidhinisha Mswada wa Kuidhinisha Matumizi ya Fedha kwa mujibu wa Kanuni ya 240B (Mswada wa Kuidhinisha Matumizi ya Fedha na Mswada wa Kuidhinisha Matumizi ya Fedha ya Hazina ya Usawazishaji) ukifanyiwa marekebisho kadri itakavyowezekana, utatumika kuidhinisha Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha.

(4) Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha utakuwa na nyongeza itakayoonyesha—

(a) kiasi cha fedha kilichopangwa kutumika katika Sheria ya Matumizi ya Fedha; na

(b) kiasi halisi cha mabadiliko kinachopendekezwa kutokana na Makadirio ya Ziada yaliyoidhinishwa kwa mujibu wa Kanuni ya 243 (*Utaratibu wa Makadirio ya Ziada*) na Kanuni ya 244A (*Kuidhinisha matumizi yanayozidi asilimia kumi*).

Kutangazwa kwa vidokezo vya Bajeti na mikakati ya Ukusanyaji mapato

244C. (1) Waziri anayehusika na masuala ya Fedha atasoma vidokezo vya sera ya bajeti na mikakati ya ukusanyaji wa mapato kwa ajili ya Serikali ya Taifa kulingana na Sheria ya Usimamizi wa Fedha za Umma.

(2) The Speaker may designate a suitable place in the Chamber for the purposes of admitting the Cabinet Secretary to make the public pronouncement of the budget policy highlights and revenue raising measures.

(3) The public pronouncement under paragraph (1) shall be heard without question or clarification.

(4) On the same date that the budget policy highlights and revenue raising measures are pronounced, the Cabinet Secretary shall submit to the National Assembly a legislative proposal, setting out the revenue raising measures for the national government, together with a policy statement expounding on those measures.

(5) 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.

Consideration of Finance Bill

245.(1) Following the submission of the legislative proposal by the Cabinet Secretary under Standing Order 244C (*Pronouncement of the Budget highlights and Revenue raising measures*), the Departmental Committee on Finance and National Planning shall introduce to the National Assembly the Finance Bill in the form in which the Bill was submitted as a legislative proposal by the Cabinet Secretary, together with the report of the Committee on the Bill.

(2) Any of the recommendations made by the Committee or adopted by the National Assembly on revenue matters shall –

- (a) ensure that the total amount of revenue raised is consistent with the approved fiscal framework and the Division of Revenue Act;
- (b) take into account the principles of equity, certainty and ease of collection;
- (c) consider the impact of the proposed changes on the composition of the tax revenue with reference to the direct and indirect taxes;

(2) Spika anaweza kutenga sehemu maalum katika Ukumbi kwa ajili ya kumruhusu Waziri anayehusika na masuala ya fedha kusoma vidokezo vya sera ya bajeti na mikakati ya ukusanyaji wa mapato.

(3) Waziri anaposoma vidokezo vya sera ya bajeti kwa mujibu wa aya ya (1) atasikilizwa bila kuulizwa swali au kuhitajika kutoa ufafanuzi.

(4) Siku ambayo vidokezo vya sera ya bajeti na mikakati ya ukusanyaji mapato itasomwa katika Bunge la Taifa, Waziri atawasilisha kwa Bunge la Taifa pendekezo la Mswada linaloonyesha mikakati ya ukusanyaji wa mapato ya Serikali ya Taifa pamoja na taarifa ya sera inayofafanua mikakati hiyo.

(5) Masharti ya Sheria ya Mamlaka na Haki ya Bunge la Taifa (Sura ya 6) yatumika kwa Waziri aliyeruhusiwa katika Ukumbi kwa mujibu wa Sehemu hii.

Kushughulikia Mswada wa Fedha

245. (1) Baada ya Waziri kuwasilisha pendekezo la Mswada kwa Bunge la Taifa kwa mujibu wa Kanuni ya 244C (*Kutangazwa kwa vidokezo vya Bajeti na mikakati ya Ukusanyaji mapato*), Kamati ya Kiidara kuhusu Fedha na Mipango ya Taifa itawasilisha Mswada wa Fedha katika Bunge la Taifa kwa muundo wa pendekezo la Mswada lililowasilishwa na Waziri anayehusika na masuala ya fedha, pamoja na ripoti ya Kamati kuhusu Mswada huo.

(2) Mapendekezo yoyote yaliyofanywa na Kamati au kupitishwa na Bunge la Taifa kuhusu mapato—

- (a) yatahakikisha kwamba jumla ya mapato yaliyokusanywa yanalingana na mfumo wa fedha ulioidhinishwa pamoja na Sheria ya Kugawa Mapato;
- (b) yatazingatia kanuni ya usawa, uhakika na wepesi wa ukusanyaji wa mapato;
- (c) yatazingatia athari ya marekebisho yanayopendekezwa kwenye vijenzi vya mapato yanayotokana na kodi za moja kwa moja na zisizo za moja kwa moja;

- (d) consider domestic, regional and international tax trends;
- (e) consider the impact on development, investment, employment and economic growth;
- (f) take into account the recommendations of the Cabinet Secretary as provided under Article 114 of the Constitution; and
- (g) take into account the taxation and other tariff agreements and obligations that Kenya has ratified, including taxation and tariff agreements under the East African Community Treaty.

(3) The recommendations of the Cabinet Secretary in paragraph (2)(f) shall be included in the report and tabled in the National Assembly.

(4) Not later than ninety days after passing the Appropriation Bill, the National Assembly shall consider and pass the Finance Bill with or without amendments.

PART XXV

JOURNALS, RECORDS AND BROADCAST OF PROCEEDINGS

Journals of the House

246. All votes and proceedings of the House shall be noted by the Clerk and shall constitute the Journals of the House.

Custody of Journals and Records

247. (1) The custody of the Journals and Records, whether audio, electronic or any other form, including all papers and accounts howsoever presented to or belonging to the House, shall be vested in the Clerk, who shall unless otherwise prohibited by any law, allow their access by the public.

(d) yatazingatia mienendo ya mifumo ya kodi za ndani ya nchi, kikanda na kimataifa;

(e) yatazingatia athari kwa maendeleo, uwekezaji, ajira na ukuaji wa uchumi;

(f) yatazingatia mapendekezo ya Waziri kwa mujibu wa Ibara ya 114 ya Katiba; na

(g) yatazingatia makubaliano na majukumu ambayo yameridhiwa na Kenya kuhusu masuala ya kodi na tozo mbalimbali ikijumuisha makubaliano ya masuala ya kodi na tozo kwa mujibu wa Mkataba wa Jumuiya ya Afrika Mashariki.

(3) Mapendekezo yatakatolewa na Waziri katika aya ya (2)(f) yatajumuishwa kwenye ripoti na kuwasilishwa kwenye Meza ya Bunge la Taifa.

(4) Bunge la Taifa litashughulikia na kupitisha Mswada wa Fedha ukiwa na marekebisho au bila marekebisho katika muda usiozidi siku tisini baada ya kupitisha Mswada wa Kuidhinisha Matumizi ya Fedha.

SEHEMU YA XXV

MAJARIDA, REKODI NA UPEPERUSHAJI WA MATANGAZO YA VIKAO

Majorida ya Bunge la Taifa

246. Kumbukumbu za vikao vya Bunge la Taifa zitaandaliwa na Katibu na zitakuwa sehemu ya Majorida ya Bunge la Taifa.

Hifadhi ya Majorida na Rekodi za Bunge la Taifa

247. (1) Hifadhi ya Majorida na Rekodi za Bunge la Taifa, iwe za sauti, kielektroniki au za namna nyingine yoyote, ikijumuisha kila nyaraka na taarifa zote zilizowasilishwa kwa namna yoyote ile au zinazomilikiwa na Bunge la Taifa, itakuwa ni wajibu wa Katibu ambaye, isipokuwa kama amekatazwa na sheria yoyote, ataruhusu ziwekwe wazi kwa umma.

(2) The Clerk shall publish the Votes and Proceedings of the House within forty eight hours of any sitting.

(3) The Speaker may make rules to regulate the access by the public to Journals and Records under paragraph (1).

Hansard reports

248. (1) There shall be published within forty eight hours, a verbatim report of all proceedings of the House, unless the Speaker is satisfied that this is rendered impossible by some emergency.

(2) Every Member shall have an opportunity to correct the draft verbatim report of his or her contribution, but not so as to alter the substance of what the Member actually said.

(3) Where there is doubt as to the content of the verbatim record of the House, the Speaker shall make a determination.

Secret or personal matters

249. The Speaker may direct any matter which, in the Speaker's opinion, is secret or purely personal to be excluded from the Journals of the House and from the verbatim report of the proceedings of the House, and to be the subject of a separate verbatim report, which shall be kept in the custody of the Clerk and made available only to Members.

Broadcast of House Proceedings

250. (1) The proceedings of the House may be broadcast.

(2) The broadcasting of the proceedings of the House shall comply with the Rules set out in the First Schedule of these Standing Orders.

251. *(Deleted)*

(2) Katibu atachapisha Kumbukumbu za vikao vya Bunge la Taifa katika muda usiozidi saa arobaini na nane za kikao chochote kuahirishwa.

(3) Spika anaweza kuweka masharti ya namna umma unavyoweza kupata Majarida na Rekodi za Bunge la Taifa zinazotajwa kwenye aya ya (1).

Taarifa Rasmi

248. (1) Taarifa ya neno kwa neno ya vikao vya Bunge la Taifa itachapishwa katika muda usiozidi saa arobaini na nane isipokuwa pale ambapo Spika ameridhika kwamba haiwezekani kutokana na tukio la dharura.

(2) Kila Mbunge atakuwa na fursa ya kurekebisha sehemu ya mchango wake kwenye rasimu ya taarifa ya neno kwa neno ilimradi isiwe kwa ajili ya kubadilisha maudhui ya kile alichokisema.

(3) Pale ambapo patatokea shaka kuhusiana na yaliyomo kwenye taarifa ya neno kwa neno ya vikao vya Bunge la Taifa, Spika atatoa uamuzi.

Mambo ya siri au ya kibinafsi

249. Spika anaweza kuelekeza kuondolewa kwenye Majarida ya Bunge la Taifa na taarifa ya neno kwa neno jambo lolote ambalo kwa maoni yake ni la siri au binafsi na kuagiza liwekwe kwenye taarifa tofauti ambayo itahifadhiwa na Katibu na kuwekwa wazi kwa Wabunge tu.

Upeperushaji wa matangazo ya shughuli za Bunge la Taifa

250. (1) Shughuli za Bunge la Taifa zinaweza kupeperushwa.

(2) Upeperushaji wa matangazo ya shughuli za Bunge la Taifa utazingatia masharti yaliyowekwa katika Nyongeza ya Kwanza ya Kanuni hizi.

251. *(Imefutwa)*

PART XXVI

PUBLIC ACCESS TO THE HOUSE AND ITS COMMITTEES

General provisions on access to the House

252. (1) Except as may be expressly provided to the contrary, every person shall have access to the House and its committees.

(2) The House or a committee may not exclude any person, or any media, from a sitting of the House or of a committee unless, in exceptional circumstances, the Speaker has determined that there are justifiable reasons for the exclusion.

(3) The Speaker may, from time to time, issue rules governing public access to the House and its committees.

Restriction of access to the Chamber

253. (1) No person other than a Member shall be admitted into any part of the Chamber appropriated to the exclusive use of Members of the House while the House or the Committee of the whole House is sitting.

(2) Paragraph (1) does not apply to the Clerk or other officers of Parliament when discharging their duties in the service of the House.

Exclusion from the House or committees

254. (1) A Member may, at any time, rise to claim that the public or any particular person be, for reasons stated, excluded from the House or from a committee, and if the Speaker or Chairperson is of the opinion that there are justifiable reasons for the exclusion, he or she may order that the public or such person withdraw from the House or the committee.

(2) Whenever the Speaker or Chairperson has determined that any person be excluded from a sitting of the House or of a committee, the Speaker or Chairperson shall inform the House or Committee the reasons for the exclusion.

SEHEMU YA XXVI

BUNGE LA TAIFA NA KAMATI ZAKE KUWA WAZI KWA UMMMA

Masharti ya jumla ya kuingia kwenye Bunge la Taifa

252. (1) Isipokuwa kama masharti yanaeleza vinginevyo, kila mtu anaruhusiwa kuingia kwenye Bunge la Taifa na kamati zake.

(2) Bunge la Taifa au Kamati haliwezi kumkataza mtu yeyote au chombo chochote cha habari kuingia kwenye vikao na mikutano yake isipokuwa pale ambapo, kwa hali za kipekee, Spika amebaini kuwa kuna sababu za kuridhisha kutoruhusu kikao au mkutano kuwa wazi kwa umma.

(3) Mara kwa mara, Spika anaweza kuweka masharti ya namna umma unavyoweza kuingia kwenye vikao vya Bunge la Taifa au mikutano ya kamati.

Udhibiti wa kuingia katika Ukumbi

253. (1) Mtu yeyote asiye Mbunge hataruhusiwa kuingia katika sehemu yoyote ya Ukumbi iliyotengewa Wabunge wakati wa kikao cha Bunge la Taifa au Kamati ya Bunge Zima.

(2) Aya ya (1) haitatumika kwa Katibu au maofisa wengine wa Bunge wakati wa kutekeleza majukumu ya uendeshaji wa kikao cha Bunge la Taifa.

Kuondolewa bungeni au kwenye Kamati

254. (1) Wakati wowote, Mbunge anaweza kusimama na kudai kwamba umma au mtu fulani, kwa sababu atakazozitaja, aondolewe bungeni au kwenye Kamati, na ikiwa Spika au Mwenyekiti ana maoni kwamba kuna sababu za kuridhisha za kuondolewa huko, anaweza kuagiza kwamba umma au mtu huyo aondoke katika Bunge la Taifa au kwenye kamati.

(2) Pale ambapo Spika au Mwenyekiti ameamua kuwa mtu yeyote aondolewe kwenye kikao cha Bunge la Taifa au Kamati, Spika au Mwenyekiti ataliarifu Bunge la Taifa au Kamati sababu za kuondolewa kwa mtu huyo.

(3) A determination by the Speaker or Chairperson under paragraph (2) shall not be the subject of comment or debate.

(4) The Clerk shall ensure that an order for the withdrawal of the public or a person is complied with.

Press representatives infringing Standing Orders or the Speaker's Rules

255. Any media institution whose representative infringes these Standing Orders or any rules made by the Speaker for the regulation of the admittance of the public to the House or to committees or persistently misreports the proceedings of the House, or neglects or refuses on request from the Speaker to correct any wrong report in respect of the proceedings of the House to the satisfaction of the Speaker, may be excluded from representation in the Press gallery for such period as the Speaker shall direct.

PART XXVII

GENERAL

Exemption of business from the Standing Orders

256. (1) Subject to paragraphs (2) and (3), a Motion may, with the approval of the Speaker, be moved by any Member, either with or without notice that the proceedings on any specified business be exempted from the provisions of Part VI (*Calendar, Sitting and Adjournments of the House*), Part VIII (*Order of Business*), Part XVII (*Limitation of Debate*), Part XIX (*Public Bills*), Part XX (*Private Bills*), Part XXI (*Committee of the whole House*) Part XXIV (*Financial Procedures*), Part XXII (*Select Committees*), Part XXIII (*Public Petitions*) and Part XXVI (*Public Access to the House and its Committees*) of these Standing Orders.

(3) Uamuzi wa Spika au Mwenyekiti kwa mujibu wa aya ya (2) hautatolewa maoni wala kujadiliwa.

(4) Katibu atahakikisha kuwa amri ya kuondolewa kwa umma au mtu inatekelezwa.

Wanahabari wanapokiuka Kanuni hizi au Kanuni za Spika

255. Chombo chochote cha habari ambacho mwanahabari wake atakiuka masharti ya Kanuni hizi au masharti yoyote kwenye Kanuni za Spika kuhusu ruhusa ya umma kuingia katika Bunge la Taifa au kwenye Kamati, au kuendelea kuripoti visivyo habari za Bunge la Taifa, kupuuza au kukataa amri ya Spika ya kurekebisha taarifa yoyote yenye makosa kuhusiana na shughuli za Bunge la Taifa, kinaweza kunyimwa nafasi ya kuwakilishwa kwenye dungu la wanahabari kwa muda ambao Spika ataamua.

SEHEMU YA XXVII

JUMLA

Kutengua Kanuni

256. (1) Kwa kuzingatia aya ya (2) na (3), kwa idhini ya Spika, Hoja inaweza kuwasilishwa na Mjumbe yeyote, ama baada ya kutoa arifa au bila ya arifa kwamba masharti ya Sehemu ya VI (*Kalenda, kikao na Maahirisho ya Bunge la Taifa*), Sehemu ya VIII (*Mpangilio wa Shughuli*), Sehemu ya XVII (*Kudhibiti Mjadala*), Sehemu ya XIX (*Miswada ya Umma*), Sehemu ya XX (*Miswada Binafsi*), Sehemu ya XXI (*Kamati ya Bunge Zima*) Sehemu ya XXIV (*Utaratibu wa Masula ya Fedha*), Sehemu ya XXII (*Kamati*), Sehemu ya XXIII (*Ardhilihali za Umma*) na Sehemu ya XXVI (*Bunge la Taifa na Kamati zake kuwa wazi kwa Umma*) yatenguliwe kuhusiana na shughuli iliyotajwa.

(2) No Motion for the exemption of business from the Standing Orders shall be made to exempt any business from Part XIII (*Special Motions*), Part (XIV) (*Procedure for Removal from State Office*), Standing Order 120 (*Publication*) or Standing Order 231 (*Restrictions with regard to certain financial measures*).

(3) Not more than one Motion for the exemption of business from the Standing Orders may be moved at any one sitting, except with the leave of the House.

(4) A Motion under this Standing Order shall state the object of or reason for the proposed exemption and—

- (a) may be moved at any time and any other business then in progress may thereupon be interrupted;
- (b) may not be amended without the consent of the mover.

Extension of period prescribed

256A. (1) Despite the provisions of these Standing Orders prescribing a period for doing an act by the National Assembly or its Committee, the House may, upon a motion, resolve to extend that period.

(2) The authority of the House contemplated under paragraph (1), may be exercised only in exceptional circumstances to be permitted by the Speaker.

(3) Where an extension of time is granted under this Standing Order, the doing of all other acts consequential thereto shall be deemed to have been extended accordingly.

Summons by the House

256B. (1) A Member may give a three days' notice of a Motion requiring the House to summon a person to appear before the House pursuant to the provisions of Article 125(1) of the Constitution.

(2) Hoja ya kutengua Kanuni haitatolewa kuhusiana na shughuli yoyote katika Sehemu ya XIII (*Hoja maalum*), Sehemu ya XIV (*Utaratibu wa Kumwondoa Ofisa wa Serikali Mamlakani*), Kanuni ya 120 (*Uchapishaji wa miswada*) au Kanuni ya 231 (*Udhibiti wa masuala mahususi ya kifedha*).

(3) Hoja zaidi ya moja ya kutengua Kanuni haitatolewa kwenye kikao kimoja, isipokuwa kwa idhini ya Bunge la Taifa.

(4) Hoja kwa mujibu wa Kanuni hii itaeleza madhumuni au sababu za pendekezo la kutengua Kanuni na —

- (a) inaweza kutolewa wakati wowote na shughuli yoyote itakayokuwa ikiendelea inaweza kusitishwa mara moja;
- (b) haiwezi kurekebisha bila ruhusa ya Mtoahoja.

Kuongeza muda uliotengewa shughuli

256A. (1) Licha ya masharti ya Kanuni hizi yanayotaja muda ambao Bunge la Taifa au Kamati inafaa kuchukua hatua yoyote, Bunge la Taifa, kupitia hoja, linaweza kuamua kuongeza muda huo.

(2) Mamlaka ya Bunge la Taifa kwa mujibu wa aya ya (1), yanaweza kutumika tu katika hali za kipekee zitakazoruhusiwa na Spika.

(3) Pale ambapo ombi la kuongeza muda kwa mujibu wa Kanuni hii limekubaliwa, muda wa utendaji wa shughuli zitakazoibuka utachukuliwa kuwa umeongezwa.

Hati ya Wito

256B. (1) Mbunge anaweza kutoa arifa ya siku tatu ya Hoja inayohitaji Bunge la Taifa kumwita mtu yeyote afike mbele ya Bunge la Taifa kwa mujibu wa masharti ya Ibara ya 125 (1) ya Katiba.

(2) The Speaker shall refuse or decline the notice, if the Speaker is of the opinion that the proposed motion is frivolous, vexatious, an abuse of the proceedings of the House, or an attempt to unreasonably usurp matters under consideration by a particular Committee.

(3) The notice under paragraph (1) shall specify—

- (a) the person or persons to be summoned;
- (b) the purpose of the summons;
- (c) the evidence to be adduced, or document to be produced, if any, before the House; and
- (d) the time and place of appearance before the House.

(4) Upon resolution of the House on a motion under paragraph (1), the Clerk shall, not later than three days from the date of the approval, issue summons to the persons named in the Motion, requiring the person to attend before the House on the date, time and place indicated in the Motion.

(5) A person shall be summoned to appear before the House under this Standing Order only if—

- (a) the purpose of the summons is not to consider a matter which is already a subject of consideration by a Committee of the House; or
- (b) the person has been previously summoned to appear before a Committee of the House but has failed or declined to appear before such committee without lawful cause.

Attendance before the Senate

257. (1) A request by the Senate that a Member, the Clerk, or an officer of the National Assembly appears before the Senate to be examined or appears before any committee of the Senate shall be by message from the Senate requesting that the National Assembly grants leave to such Member, Clerk or other officer to attend.

(2) Spika atakataa arifa hiyo iwapo ana maoni kwamba Hoja hiyo haina maana, inakera au inahujumu shughuli za Bunge la Taifa au ni jaribio la kutwaa suala linaloshughulikiwa na Kamati kwa namna isiyofaa.

(3) Arifa iliyotolewa kwa mujibu wa aya ya (1) itabainisha—

- (a) mtu au watu watakaoitwa.
- (b) sababu ya kuitwa.
- (c) ushahidi au nyaraka zitakazotolewa mbele ya Bunge la Taifa, kama zipo; na
- (d) saa na mahali pa kufika mbele ya Bunge la Taifa.

(4) Baada ya uamuzi wa Bunge la Taifa kuhusu Hoja iliyotolewa kwa mujibu wa aya ya (1), Katibu, na isiwe baada ya siku tatu kuanzia tarehe ya uamuzi huo, atatoa Hati ya Wito kwa watu waliotajwa katika Hoja ikimtaka mtu huyo kufika mbele ya Bunge la Taifa ikionyesha tarehe, saa na mahali palipotajwa kwenye Hoja.

(5) Mtu ataitwa kufika mbele ya Bunge la Taifa kwa mujibu wa Kanuni hii ikiwa tu—

- (a) madhumuni ya kuitwa sio kwa ajili ya kushughulikia suala ambalo tayari linashughulikiwa na Kamati; au
- (b) mtu huyo amewahi kuitwa kufika mbele ya Kamati lakini akashindwa au akakataa kufika bila sababu zinazokubalika kisheria.

Kufika mbele ya Seneti

257. (1) Ombi la Seneti la kumhitaji Mbunge, Katibu, au ofisa wa Bunge la Taifa afike mbele ya Seneti kwa ajili ya kuhojiwa au kufika mbele ya kamati yoyote ya Seneti litatolewa kupitia Ujumbe kutoka Seneti ukiomba Bunge la Taifa kutoa idhini ili Mbunge, Katibu au ofisa huyo afike mbele yake.

(2) If the National Assembly grants leave under paragraph (1)—

- (a) the Clerk or officer shall attend before the Senate or the committee of the Senate;
- (b) the Member may, if the Member considers it fit to do so, attend before the Senate or the committee of the Senate.

(3) Except upon leave granted under paragraph (2), a Member, the Clerk or an officer may not, whether in person or by counsel, attend or appear before the Senate or a Committee of the Senate in response to a summons or invitation, or send an answer in writing to such summons or invitation.

Permission for absence

257A. (1) A Member seeking to be absent from sitting of the House shall, seek the written permission of the Speaker in such form as the Speaker may determine, stating the period of absence, the reasons and any other relevant information.

(2) The Clerk shall keep custody of requests for permission and may disclose the information with the written consent of the Speaker.

Failure to attend sittings

258. (1) If, during any Session, a Member is absent from eight sittings of the National Assembly without permission, in writing from the Speaker, the Speaker shall report the matter to the National Assembly and the matter shall stand referred to the Committee of Privileges for hearing and determination.

(2) The Committee of Privileges shall inquire into a matter referred to it under paragraph (1) within fourteen days from the date the matter is referred to it and shall thereupon submit a report to the House.

(2) Iwapo Bunge la Taifa litatoa idhini kwa mujibu wa aya ya (1)—

- (a) Katibu au ofisa atafika mbele ya Seneti au kamati ya Seneti;
- (b) Mbunge, pale ambapo anaona ni vyema kufanya hivyo, anaweza kufika mbele ya Seneti au Kamati ya Seneti.

(3) Mbunge, Katibu au ofisa hatafika yeye mwenyewe au kuwakilishwa na wakili mbele ya Seneti au Kamati ya Seneti kufuatia Hati ya Wito au mwaliko wa Seneti au kutuma jibu kimaandishi kwa hati au mwaliko huo, isipokuwa kwa idhini iliyotolewa kwa mujibu wa aya ya (2).

Ruhusa ya kutohudhuria vikao

257A. (1) Mbunge anayekusudia kutofika kwenye kikao cha Bunge la Taifa atamwomba Spika ruhusa kimaandishi kwa namna ambayo Spika ataamua, akitaja muda ambao hatafika, sababu za kutofika na taarifa nyingine yoyote inayofaa.

(2) Katibu atahifadhi maombi ya ruhusa na anaweza kutoa habari hiyo kwa idhini iliyotolewa na Spika kimaandishi.

Kutohudhuria vikao

258. (1) Iwapo, katika Kipindi chochote, Mbunge hatahudhuria vikao vinane vya Bunge la Taifa bila ruhusa ya Spika iliyotolewa kwa maandishi, Spika ataripoti suala hilo kwa Bunge la Taifa na litakabidhiwa Kamati ya Mamlaka na Haki ya Bunge la Taifa kwa ajili ya kusikizwa na kuamuliwa.

(2) Kamati ya Mamlaka na Haki ya Bunge la Taifa itachunguza suala ambalo imekabidhiwa kwa mujibu wa aya ya (1) katika muda usiozidi siku kumi na nne baada ya kukabidhiwa suala hilo na kuwasilisha Ripoti katika Bunge la Taifa.

(3) If the report of the Committee finds that the Member has offered a satisfactory explanation for the Member's absence from eight sittings of the National Assembly without the permission in writing from the Speaker, there shall be no further proceedings in the House in respect of the matter.

(4) If the report of the Committee finds that the Member has not offered a satisfactory explanation for the Member's absence from eight sittings of the National Assembly under paragraph (1), the Chairperson of the Committee or a Member of the Committee designated by the Committee for that purpose shall, upon submitting the report, give a three days' notice of a Motion that, **"This House notes the Report of the Committee of Privileges laid on the Table of the House on ... regarding....."** with other necessary modification.

(5) A Motion under paragraph (4) shall be debated in the usual manner of debating Motions, except that—

(a) no amendment shall be permitted to the Motion;

(b) the debate of the Motion shall not be anticipated by a Motion for the adjournment of the House, and no dilatory Motion shall be moved in relation to the business, and the business shall not be interrupted under any Standing Order.

(6) At the conclusion of the debate on a motion under paragraph (4), the Speaker shall not put a question but shall declare that, pursuant to Article 103 (1) (b) of the Constitution, the office of the Member concerned has become vacant.

Seating in the Chamber

259. (1) There shall be reserved seats in the Chamber of the House for the exclusive use of each of the following—

- (a) the Deputy Speaker;
- (b) the Leader of the Majority Party;
- (c) Leader of the Minority Party;

(3) Ikiwa ripoti ya Kamati itabaini kuwa Mbunge ametoa maelezo ya kuridhisha ya kutohudhuria vikao vinane vya Bunge la Taifa bila ruhusa ya kimaandishi kutoka kwa Spika, suala hilo halitashughulikiwa zaidi katika Bunge la Taifa.

(4) Ikiwa ripoti ya Kamati itabaini kuwa Mbunge hajatoa maelezo ya kuridhisha ya kutohudhuria vikao vinane vya Bunge la Taifa kwa mujibu wa aya ya (1), Mwenyekiti wa Kamati au mjumbe aliyeteuliwa na Kamati kwa ajili hiyo baada ya kuwasilisha ripoti ya kamati, atatoa arifa ya hoja ya siku tatu kwamba **"Bunge la Taifa litambue Ripoti ya Kamati ya Mamlaka na Haki za Bunge iliyowekwa kwenye Meza ya Bunge mnamo ... kuhusu"** na ikifanyiwa marekebisho kadri itakavyofaa.

(5) Hoja itakayotolewa kwa mujibu wa aya ya (4) itajadiliwa kwa namna ya kawaida ya kujadili Hoja, isipokuwa—

(a) hakuna rekebisho litakaloruhusiwa kwenye Hoja.

(b) mjadala wa Hoja hautawahishwa kwa Hoja ya kuahirisha Bunge la Taifa, na hakuna Hoja ya kuahirisha shughuli itakayotolewa kuhusiana na shughuli hiyo na shughuli haitasitishwa kwa mujibu wa Kanuni hizi.

(6) Mjadala kwa hoja iliyotolewa kwa mujibu wa aya ya (4) ukihitimishwa, Spika hatahitajika kulihoji Bunge la Taifa bali, kwa mujibu wa Ibara ya 103(1)(b) ya Katiba, atatangaza kwamba nafasi ya Mbunge huyo iko wazi.

Utaratibu wa kuketi katika Ukumbi

259. (1) Kutakuwa na viti vilivyotengwa katika Ukumbi wa Bunge la Taifa kwa ajili ya wafuatao—

- (a) Naibu Spika;
- (b) Kiongozi wa Chama cha walio Wengi;
- (c) Kiongozi wa Chama cha walio Wachache;

(d) Members with disabilities.

(1A) The Speaker may designate seats in the Chamber for Members of the Chairperson's Panel, Deputy Leaders of Majority and Minority Parties, Chairpersons of Committees and Majority and Minority Party Whips.

(2) All other seats in the Chamber shall be available for the use of any Member.

(3) Subject to this Standing Order and any other order of the House, any question relating to the occupation of seats in the Chamber shall be determined by the Speaker.

Recognition of a Parliamentary Caucus

259A. (1) The Speaker may, upon the written request of at least ten Members, recognize a parliamentary caucus formed for the purpose of advancing a common legislative objective.

(2) A request to the Speaker under this Standing Order shall—

- (a) indicate the name of the caucus;
- (b) outline the legislative objective of the caucus; and
- (c) contain the names and signatures of the members of the caucus.

(3) A parliamentary caucus shall not enjoy the powers and privileges of a Committee of the House.

Members travelling outside Kenya

260. (1) A Member intending to travel outside Kenya whether in an official or a private capacity, shall give to the Speaker a written notice to that effect, indicating—

- (a) the destination intended to be visited;
- (b) the dates of the intended travel and period of absence from Kenya; and

(d) Wabunge wenye ulemavu.

(1A) Spika anaweza kutenga viti katika Ukumbi kwa ajili ya wajumbe wa Jopo la Mwenyekiti, Naibu Kiongozi wa Chama cha walio Wengi na Naibu Kiongozi wa Chama cha walio Wachache, Wenyekiti wa Kamati, Mratibu wa Chama cha walio Wengi na Mratibu wa Chama cha walio Wachache.

(2) Viti vingine vyote katika Ukumbi vitatumiwa na Mbunge yeyote.

(3) Kwa kuzingatia Kanuni hii na amri nyingine yoyote ya Bunge la Taifa, suala lolote linalohusiana na kuketi katika Ukumbi litaamuliwa na Spika.

Kutambuliwa kwa Kikundi cha Wabunge

259A. (1) Kufuatia ombi lililowasilishwa kimaandishi na angalau Wabunge kumi, Spika anaweza kutambua kikundi cha wabunge kilichoundwa kwa ajili ya kuendeleza lengo sawa linalohusu utungaji wa sheria.

(2) Ombi kwa Spika kwa mujibu wa Kanuni hii—

- (a) litaonyesha jina la kikundi;
- (b) litataja lengo linalohusu utungaji wa sheria ya kikundi hicho; na
- (c) litakuwa na majina na sahihi za Wajumbe wa kikundi hicho.

(3) Kikundi cha wabunge hakitakuwa na mamlaka na haki sawa na kamati ya Bunge la Taifa.

Wabunge wanaosafiri nje ya Kenya

260. (1) Mbunge anayekusudia kusafiri nje ya Kenya kwa shughuli rasmi au shughuli binafsi atampa Spika arifa ya kimaandishi, ikionyesha—

- (a) mahali anapokusudia kusafiri;
- (b) tarehe aliyopanga kusafiri na muda ambao atakuwa nje ya Kenya; na

(c) the email, telephone contact, postal or physical address of the Member during the period of absence from Kenya.

(2) All information submitted under this Standing Order shall be kept in a register which the Clerk shall maintain for that purpose and shall not be disclosed to any person without the permission of the Speaker.

Expenses of witnesses

261. There may be paid or tendered to any person summoned to give evidence or to produce documents before the House or a Committee, such reasonable sum in respect of the person's expenses, including travelling expenses, as the Clerk may from time to time determine, either generally or specifically.

PART XXVIII

AMENDMENT OF STANDING ORDERS

Proposals for amendment by the Procedure and House Rules Committee

262. Procedure and House Rules Committee may at any time propose amendments to these Standing Orders.

Amendment on the initiative of a Member

263. (1) A Member may, with the support of at least fifty other Members, request the Procedure and House Rules Committee to consider an amendment to the Standing Orders.

(2) A request under paragraph (1) shall be in writing and shall—

- (a) contain the text of the proposed amendment and the justification for the proposal;
- (b) contain the names and signatures of the Members supporting the request;
- (c) be lodged with the Speaker.

(c) baruapepe, namba ya simu, anwani ya posta au anwani ya makazi ya Mbunge kwa muda atakaokuwa nje ya Kenya.

(2) Habari zote zitakazotolewa kwa mujibu wa Kanuni hii zitawekwa kwenye sajili ambayo itahifadhiwa na Katibu kwa ajili hiyo na haitawekwa wazi kwa mtu yeyote isipokuwa kwa ruhusa ya Spika.

Gharama za mashahidi

261. Mtu yeyote aliyelitwa kutoa ushahidi au kuwasilisha nyaraka mbele ya Bunge la Taifa au Kamati anaweza kurejeshewa gharama kiasi kinachofaa cha pesa alizotumia, zikijumuisha gharama za usafiri kama Katibu atakavyoamua mara kwa mara, ama kijumla au kwa kila gharama.

SEHEMU YA XXVIII

MAREKEBISHO YA KANUNI

Mapendekezo ya kurekebisha Kanuni kutoka kwenye Kamati ya Utaratibu na Kanuni za Bunge la Taifa

262. Kamati ya Utaratibu na Kanuni za Bunge la Taifa inaweza kupendekeza marekebisha kwenye Kanuni hizi wakati wowote.

Rekebisho linalotokana na Mbunge

263. (1) Mbunge, kwa kuungwa mkono na angalau Wabunge wasiopungua hamsini, anaweza kuiomba Kamati ya Utaratibu na Kanuni za Bunge la Taifa kushughulikia rekebisho kwenye Kanuni hizi.

(2) Ombi kwa mujibu wa aya ya (1) litakuwa kwa maandishi na—

- (a) litakuwa na matini ya marekebisho yanayopendekezwa pamoja na sababu zake;
- (b) litakuwa na majina na sahihi za Wabunge wanaoliunga mkono;
- (c) litapelekwa kwa Spika.

(3) The Speaker shall, if satisfied that the requirements of paragraphs (1) and (2) have been met, forward the request to the Procedure and House Rules Committee.

(4) The Procedure and House Rules Committee shall, within twenty-one days of the receipt of a request under paragraph (3), consider the request and table a report in the House containing the amendments proposed in the request and the recommendations of the Committee on each such proposal.

(5) The House shall consider the proposed amendments to the Standing Orders as reported from the Procedure and House Rules Committee on a Motion that **“The report of the Procedure and House Rules Committee be approved.”**

(6) Standing Order 136 (Procedure on Bills reported from Committee of the whole House) shall apply to a Motion to approve the report of the Procedure and House Rules Committee on the amendments proposed to the Standing Orders.

Periodic review of Standing Orders

264. At least once in every term of Parliament, the Procedure and House Rules Committee shall review the Standing Orders and make a report to the House recommending the Standing Orders, if any, to be amended.

Consideration of reports of Procedure and House Rules Committee

265. (1) Upon the tabling of a report of the Procedure and House Rules Committee under Standing Orders 263 (*Amendment on the initiative of a Member*) and 264 (*Periodic review of Standing Orders*), the procedure set out under paragraphs (5) and (6) of Standing Order 263 (*Amendment on the initiative of a Member*) shall apply with the necessary modifications.

(3) Spika akiridhika kuwa ombi hilo limekidhi mahitaji ya aya ya (1) na ya (2), atalipeleka kwenye Kamati ya Utaratibu na Kanuni za Bunge la Taifa.

(4) Kamati ya Utaratibu na Kanuni za Bunge la Taifa, katika muda usiozidi siku ishirini na moja baada ya kupokea ombi kwa mujibu wa aya ya (3), italishughulikia ombi hilo na kuwasilisha ripoti katika Bunge la Taifa ikiwa na marekebisho yaliyopendekezwa katika ombi na mapendekezo ya Kamati kwa kila pendekezo.

(5) Bunge la Taifa litashughulikia marekebisho yanayopendekezwa kwa Kanuni za Kudumu kama ilivyoripotiwa na Kamati ya Utaratibu na Kanuni za Bunge la Taifa kupitia Hoja **“Kwamba, ripoti ya Kamati ya Utaratibu na Kanuni za Bunge la Taifa iidhinishwe.”**

(6) Kanuni ya 136 (Utaratibu kwa Miswada inayoripotiwa kutoka kwa Kamati ya Bunge Zima) itatumika kwa Hoja ya kuidhinisha ripoti ya Kamati ya Utaratibu na Kanuni za Bunge la Taifa kuhusu marekebisho yaliyopendekezwa kwenye Kanuni za Kudumu.

Udurusu wa mara kwa mara ya Kanuni za Kudumu

264. Kamati ya Utaratibu na Kanuni za Bunge la Taifa itadurusu Kanuni za Kudumu za Bunge la Taifa na kutoa ripoti katika Bunge la Taifa ikipendekeza marekebisho ya Kanuni za Kudumu, kama yapo, angalau mara moja katika kila Muhula wa Bunge.

Kushughulikia ripoti za Kamati ya Utaratibu na Kanuni za Bunge la Taifa

265. (1) Ripoti ya Kamati ya Utaratibu na Kanuni za Bunge la Taifa inapowasilishwa katika Bunge la Taifa kwa mujibu wa Kanuni za 263 (*Rekebisho linalotokana na Mbunge*) na 264 (*Udurusu wa mara kwa mara ya Kanuni za Kudumu*), utaratibu uliowekwa kwenye aya ya (5) na ya (6) ya Kanuni za 263 (*Rekebisho linalotokana na Mbunge*) itatumika kadri itakavyohitajika.

(2) Amendments to the Standing Orders proposed under this Part shall, upon approval by the House, take effect at the time appointed by the House.

PART XXVIII

CONDUCT OF PROCEEDINGS IN EXCEPTIONAL CIRCUMSTANCES

Application

265A. (1) This Part shall apply to the conduct of proceedings of the House and its Committees in an exceptional circumstance.

(2) The provisions of the Standing Orders preceding this Part shall remain in force except as may be modified in this Part.

(3) Where any provision of this Part conflicts with or is inconsistent with the provision of any preceding Standing Order, whether in part or whole, the provisions of this Part shall prevail.

(4) In this Part, “exceptional circumstance” means an event or occurrence as may be lawfully declared in accordance with any written law which precludes the National Assembly from conducting a physical sitting and includes the declaration of an epidemic, pandemic, extreme natural phenomena, pestilence or an act of terrorism.

Alternative sitting arrangements

265B. (1) The Speaker shall invoke the provisions of this Part and permit the House and its Committees to conduct sittings either—

(a) physically and virtually, where the House is partly precluded from conducting a physical sitting by an exceptional circumstance; or

(b) virtually, where the House is wholly precluded from conducting a physical sitting by an exceptional circumstance.

(2) Marekebisho ya Kanuni za Kudumu yanayopendekezwa kwa mujibu wa Sehemu hii, yakishaidhinishwa na Bunge la Taifa, yataanza kutumika wakati utakaoamuliwa na Bunge la Taifa.

SEHEMU YA XXVIII

UENDESHAJI VIKAO KATIKA HALI ZA KIPEKEE

Matumizi

265A. (1) Sehemu hii itatumika kuendesha vikao vya Bunge la Taifa na Kamati zake katika hali ya kipekee.

(2) Masharti ya Kanuni za Kudumu yanayotangulia Sehemu hii yataendelea kutumika isipokuwa kama yatakavyorekebisha katika Sehemu hii.

(3) Pale ambapo sharti lolote la Sehemu hii linakinzana au haliwiani na sharti la kanuni yoyote iliyotangulia ama kwa sehemu au kwa jumla, masharti ya Sehemu hii yatumika.

(4) Katika Sehemu hii, “hali ya kipekee” ina maana ya tukio linalotangazwa kihalali kwa mujibu wa sheria yoyote linalozuia Bunge la Taifa kufanya vikao vya ana kwa ana na inajumuisha tangazo la maradhi kumbakumba, maradhi tandavu, janga la kimaumbile lililokithiri, ndwele inayoua au ambo ama tendo la ugaidi.

Mipangilio mbadala ya Vikao

265B. (1) Spika atatumia masharti ya Sehemu hii na kuruhusu Bunge la Taifa na Kamati zake kuendesha vikao ama –

(a) ana kwa ana na kimtandao, pale ambapo Bunge la Taifa limezuiliwa kwa kiasi fulani kufanya kikao ana kwa ana kutokana na hali ya kipekee; au

(b) kimtandao, pale ambapo Bunge la Taifa limezuiliwa kabisa kufanya kikao cha ana kwa ana kutokana na hali ya kipekee.

(2) The Speaker shall, upon invoking the provisions of paragraph (1) and upon the recommendation of the Procedure and House Rules Committee, prescribe guidelines governing—

- (a) the conduct of the proceedings;
- (b) the manner of voting, manner of conducting a division and the ascertainment of a vote in the proceedings;
- (c) the conduct of Members during the proceedings;
- (d) access to the proceedings by members of public and media;
- (e) public participation and involvement;
- (f) etiquette; and
- (g) such other matter as may be relevant to the conduct of the proceedings.

(3) The guidelines prescribed under paragraph (2) shall cease to apply upon revocation by the Speaker or the cessation of the exceptional circumstance, whichever is earlier.

Other arrangements

265C. During the pendency of an exceptional circumstance—

- (a) the House may, by resolution, vary its ordinary sittings to such a number as the circumstance permits;
- (b) the House Business Committee shall determine and prioritize essential business to be considered by the House; and
- (c) The Speaker may—
 - (i) designate a place outside the Chamber but within the precincts of Parliament from where Members may participate in the proceedings;

(2) Spika akishatumia masharti ya aya ya (1) kutokana na pendekezo la Kamati ya Utaratibu na Kanuni za Bunge la Taifa, atatoa miongozo itakayoelekeza –

- (a) utaratibu wa kuendesha shughuli za Bunge la Taifa;
- (b) namna ya kupiga kura, namna ya kuendesha kura ya mgawanyiko na thibitisho la kura katika shughuli hizo;
- (c) mwenendo wa Wabunge wakati wa shughuli za Bunge la Taifa;
- (d) Ufikiwaji wa shughuli za Bunge la Taifa kwa umma na vyombo vya habari;
- (e) ushirikishwaji na uhusishwaji wa umma;
- (f) staha; na
- (g) suala lingine lolote linalohusu uendeshaji wa shughuli za Bunge la Taifa.

(3) Miongozo iliyoagizwa katika aya ya (2) itakoma kutumika pindi itakapobatilishwa na Spika au hali ya kipekee kwisha, kutegemea hali itakayotangulia

Mipango mingine

265C. Wakati wa hali ya kipekee –

- (a) Bunge la Taifa linaweza, kwa kupitia uamuzi, kubadilisha idadi ya vikao vyake vya kawaida kutegemea hali;
- (b) Kamati ya Kuratibu Shughuli za Bunge la Taifa itaamua na kuyapa kipaumbele masuala muhimu yatakayoshughulikiwa na Bunge la Taifa; na
- (c) Spika anaweza—
 - (i) kutenga mahali nje ya Ukumbi lakini ndani ya Maeneo ya Bunge ambapo Wabunge watashiriki shughuli za Bunge la Taifa;

- (ii) prescribe the number of Members who may participate in the proceedings from the Chamber or any designated place outside the chamber;
- (iii) permit a Member or any other person required to file, deliver or table any document under the Standing Orders or any written law to file or submit the document electronically for tabling;
- (iv) where the House is wholly precluded from conducting a physical sitting, deem a document submitted, including a document submitted electronically, to have been tabled, subject to its admissibility; and
- (v) preclude public access to the House and committees pursuant to Standing Order 252(1).

Use of technology

265D. (1) The Speaker may, taking into account the provisions of Article 126(1) of the Constitution, prescribe an appropriate information and communications technology platform for the conduct of the virtual proceedings under this Part.

(2) The platform prescribed under paragraph (1) shall—

- (a) incorporate video and audio or text;
- (b) allow the participation of Members in the proceedings in real-time and the broadcast of the proceedings;
- (c) facilitate the proceedings to be recorded and transcribed under Standing Order 248; and,
- (d) where the House is wholly precluded from conducting a physical sitting, incorporate a system that allows Members to vote.

- (ii) kuelekeza idadi ya Wabunge wanaoweza kushiriki shughuli katika Ukumbi au mahali popote palipotengwa nje ya Ukumbi;
- (iii) Kumruhusu Mbunge au mtu mwingine yeyote anayehitajika kwa mujibu wa Kanuni za Kudumu au sheria yoyote kusajili, kuwasilisha au kuleta waraka wowote kwenye Meza ya Bunge la Taifa afanye hivyo kielektroniki;
- (iv) pale ambapo Bunge la Taifa limezuiwa kabisa kuendesha kikao cha ana kwa ana, kuchukulia waraka kuwa umewasilishwa, ikijumuisha waraka uliotumwa kielektroniki, kwamba umewasilishwa kwenye Meza ya Bunge la Taifa, kwa kuzingatia ukubalifu wake; na
- (v) kuzuia umma kuhudhuria vikao vya Bunge la Taifa na mikutano ya Kamati kwa mujibu wa Kanuni ya 252(1).

Matumizi ya teknolojia

265D. (1) Spika, akizingatia masharti ya Ibara ya 126(1) ya Katiba, anaweza kuelekeza mfumo wa teknolojia ya habari na mawasiliano unaofaa kuendesha vikao vya kimtandao kwa mujibu wa Sehemu hii.

(2) Mfumo utakaoelekezwa kwa mujibu wa aya ya (1) –

- (a) utajumuisha video na sauti au matini;
- (b) utawezesha Wabunge kushiriki katika vikao mubashara na upeperushaji wa shughuli za Bunge la Taifa;
- (c) utawezesha shughuli kurekodiwa na kunakiliwa kwa mujibu wa Kanuni ya 248; na,
- (d) utajumuisha mfumo unaowezesha Wabunge kupiga kura pale ambapo Bunge la Taifa linazuiwa kabisa kufanya vikao vya ana kwa ana.

(3) The voting system incorporated under paragraph (2) (d) shall be simple, accurate, verifiable, secure, accountable, transparent and facilitate the prompt declaration of the result of each vote taken.

(4) The Clerk shall facilitate the participation of Members in virtual proceedings through the use of standard electronic devices specifically configured for the proceedings.

PART XXIX

TRANSITIONAL PROVISIONS

National Assembly's Resolution on Standing Orders

266. In Exercise of the powers conferred by Article 124 of the Constitution of the Republic of Kenya, the National Assembly, by resolution passed on 9th January, 2013, adopted these Standing Orders and the Houses of Parliament (Joint Sittings) Rules.

Revocation of previous Standing Orders

267. The Standing Orders adopted by the National Assembly on December 10, 2008 during the Second Session of the Tenth Parliament are hereby revoked.

Commencement

267A. Pursuant to the resolution of the National Assembly of June 15, 2017, the amendments made by the House to these Standing Orders on 15th June, 2017 shall commence upon the expiry of the term of the 11th Parliament.

(3) Mfumo wa kupiga kura utakaotumika kwa mujibu wa aya ya (2)(d) utakuwa rahisi kutumia, sahihi, unaohibitishika, salama, unaoelezeka, wazi na unaoweza utangazaji wa haraka wa matokeo ya kila kura iliyopigwa.

(4) Katibu atawawezesha Wabunge kushiriki vikao vya kimtandao kwa kutumia vyombo vya kielektroniki vya viwango vilivyokubalika na vilivyosanidiwa maalum kwa shughuli za Bunge la Taifa.

SEHEMU YA XXIX

MASHARTI YA MPITO

Uamuzi wa Bunge la Taifa kuhusu Kanuni za Kudumu

266. Katika kutekeleza mamlaka kwa mujibu wa Ibara ya 124 ya Katiba ya Jamhuri ya Kenya, Bunge la Taifa, kupitia uamuzi uliofanywa mnamo tarehe 9 Januari 2013, liliridhia hizi Kanuni za Kudumu pamoja na Masharti ya Vikao vya Pamoja vya Bunge.

Kubatilisha Kanuni za Kudumu za awali

267. Kanuni za Kudumu zilizoridhiwa na Bunge la Taifa mnamo tarehe 10 Desemba 2008 kwenye Kipindi cha Pili cha Bunge la Kumi sasa zimebatilishwa.

Kuanza kutumika

267A. Kwa kuzingatia uamuzi wa Bunge la Taifa uliofanywa mnamo tarehe 15 Juni 2017, marekebisho yaliyofanywa na Bunge la Taifa kwenye hizi Kanuni za Kudumu mnamo tarehe 15 Juni 2017 yataanza kutumika mwishoni mwa Muhula wa Bunge la Kumi na Moja.

FIRST SCHEDULE

BROADCASTING RULES

(Standing Order 250)

Parliamentary Broadcasting Unit

1. (1) There is established the Parliamentary Broadcasting Unit, which shall oversee the broadcasting of parliamentary proceedings.

(2) Unless the House otherwise directs, the Parliamentary Broadcasting Unit may broadcast the proceedings of parliament and provide access to parliamentary information.

Parliamentary privilege

2. Audio and visual digital footage of parliamentary proceedings shall be covered by the laws relating to parliamentary privilege and shall be kept as part of the records of the House, under the custody of the Clerk of the National Assembly.

Television broadcasting

3. When broadcasting the proceedings of the House on television, the following guidelines shall apply—

- (a) the camera shall focus on the Member recognized by the Chair until the Member has finished speaking;
- (b) group shots and cut-aways may be taken for purposes of showing the reaction of a group of Members to an issue raised on the Floor;
- (c) wide-angle shots of the Chamber shall be used during voting and Division and no shot shall be taken so as to show the manner in which a Member has voted in any secret ballot;
- (d) officers of the House taking an active role in the proceedings may be shown;
- (e) the occupant of the Chair shall be shown when taking and leaving the Chair and whenever he or she rises;

NYONGEZA YA KWANZA

MASHARTI YA UPEPERUSHAJI WA MATANGAZO YA SHUGHULI ZA BUNGE

(Kanuni ya 250)

Kitengo cha Utangazaji cha Bunge

1. (1) Kutakuwa na Kitengo cha Utangazaji cha Bunge ambacho kitasimamia upeperushaji wa matangazo ya shughuli za Bunge.

(2) Isipokuwa kama Bunge la Taifa litaelekeza vinginevyo, Kitengo cha Utangazaji cha Bunge kinaweza kupeperusha matangazo ya shughuli za Bunge na kuruhusu upatikanaji wa habari za Bunge.

Haki za Bunge

2. Sauti na video za kidijitali za shughuli za Bunge zitalindwa na sheria zinazohusiana na haki za Bunge na zitahifadhiwa na Katibu wa Bunge la Taifa kama sehemu ya rekodi za Bunge la Taifa.

Upeperushaji wa matangazo kupitia kwa runinga

3. Wakati wa kupeperusha matangazo ya shughuli za Bunge la Taifa kupitia kwa runinga, mwongozo ufuatao utazingatiwa—

- (a) kamera itaelekezwa kwa Mbunge aliyepewa fursa na kiongozi wa kikao hadi Mbunge huyo atakapomaliza kuzungumza;
- (b) picha za makundi na visehemu vya picha vinaweza kunaswa kwa minajili ya kuonyesha jinsi kundi fulani la Wabunge lilivyopokea suala lililotolewa katika Ukumbi;
- (c) Unasaji wa picha zenye upeo mpana zinazoonyesha Ukumbi utafanyika wakati wa kupiga kura au wakati wa Kura ya Mgawanyiko na hakuna picha itanaswa kuonyesha namna Mbunge fulani alivyopiga kura katika kura yoyote ya siri;
- (d) maafisa wa Bunge la Taifa wanaohusika moja kwa moja na shughuli za Bunge katika Ukumbi wanaweza kuonyeshwa;
- (e) anayeongoza kikao anaweza kuonyeshwa anapoingia au kutoka kwenye Kiti na wakati wowote anaposimama;

- (f) press and public galleries shall not be shown except as part of the wide angle shots and during important functions as may be determined by the Parliamentary Broadcasting Committee;
- (g) no close-up shots of Members' papers or reference materials may be shown.

Radio broadcasting

4. When broadcasting the proceedings of the House on radio, the following guidelines shall apply—
 - (a) audio recording shall be restricted to proceedings of the House and the Committees;
 - (b) commentaries during a live broadcast shall be limited to the introduction of a matter under debate and of the Member on the floor.

Protection of the dignity of the House

5. (1) Officers of the Parliamentary Broadcasting Unit shall conduct themselves in a professional and impartial manner, giving a fair and accurate account of proceedings.
 - (2) Shots designed to embarrass unsuspecting Members of Parliament shall not be shown.
 - (3) Recordings of Parliamentary proceedings may not be used for purposes of political party advertising, ridicule, commercial sponsorship or any form of adverse publicity.

External media houses

6. (1) In these Rules, "external media house" refers to any media house other than the Parliamentary Broadcasting Unit.
 - (2) No external media house or other person may broadcast any proceedings of the House except as received from the broadcast feed provided by the Parliamentary Broadcasting Unit or with the permission of the Speaker.

- (f) madungu ya wanahabari na umma hayataonyeshwa isipokuwa wakati wa kunasa picha za Ukumbi wote na katika shughuli muhimu kadri itakavyoamuliwa na Kamati ya Upeperushaji wa Matangazo ya Bunge;
- (g) picha za karibu za karatasi za Wabunge au nyaraka za marejeleo hazitaonyeshwa.

Upeperushaji wa Matangazo kupitia kwa redio

4. Katika kupeperusha matangazo ya shughuli za Bunge la Taifa kupitia kwa redio, mwongozo ufuatao utatumika—
 - (a) sauti zitakazorekodiwa zitajikita katika shughuli za Bunge la Taifa au Kamati pekee;
 - (b) maelezo wakati wa matangazo mbashara yatajikita katika kutoa utangulizi wa suala linalojadiliwa na utambulisho wa Mbunge anayetoa mchango.

Kulinda hadhi ya Bunge la Taifa

5. (1) Maofisa wa Kitengo cha Utangazaji cha Bunge watatekeleza majukumu yao kwa weledi na bila upendeleo wowote kwa kutoa matangazo sahihi na ya haki kuhusu shughuli za Bunge.
 - (2) Picha zinazonaswa kwa nia ya kuwadhalilisha Wabunge bila wenyewe kujua hazitaonyeshwa.
 - (3) Sauti na video za shughuli za Bunge hazitatumiwa kwa matangazo ya vyama vya kisiasa, kejeli, udhamini wa kibiashara au kwa namna nyingine yoyote inayoathiri hadhi ya Bunge.

Vyombo vingine vya habari

6. (1) Katika Masharti haya, "Chombo kingine cha habari" ni shirika lingine la habari isipokuwa Kitengo cha Utangazaji cha Bunge.
 - (2) Hakuna chombo kingine cha habari au mtu yeyote atakayeruhusiwa kutangaza shughuli za Bunge la Taifa isipokuwa kama yalivyopokelewa kutoka kwa Kitengo cha Utangazaji cha Bunge au kwa kibali cha Spika.

(3) A media house that receives a broadcast feed from the Parliamentary Broadcasting Unit shall broadcast it without any manipulation or distortion.

(4) No camera or other recording or broadcasting equipment shall be allowed in the House without authorization.

(5) Accredited journalists shall be allowed access to designated areas for purposes of following the proceedings and taking notes and any journalist so allowed shall observe the Standing Orders and these Rules.

Breach of broadcasting Rules

7. (1) Any person who fails to comply with these Rules shall be liable to such penalty as the House may, on the recommendation of the Parliamentary Broadcasting Committee, consider appropriate.

(2) The Parliamentary Broadcasting Committee shall develop procedures for the enforcement of these Rules.

Application

8. These Rules shall apply for the broadcasting of parliamentary proceedings in the House, in Committees and, with necessary modifications, in other parliamentary proceedings and events.

(3) Chombo cha habari kitakachopokea habari kutoka Kitengo cha Utangazaji cha Bunge kitazitangaza bila kubadili au kupotosha maudhui yake.

(4) Kamera au vifaa vingine vya matangazo havitaruhusiwa ndani ya Ukumbi wa Bunge la Taifa bila idhini.

(5) Wanahabari walioidhinishwa wataruhusiwa kuketi katika maeneo waliyotengewa kwa ajili ya kufuatilia shughuli za Bunge na kuchukua habari na mwanahabari yeyote aliyeruhusiwa atazingatia Kanuni za Kudumu na masharti haya.

Ukiukaji wa Masharti ya utangazaji

7. (1) Mtu yeyote anayekiuka Masharti haya atakuwa amefanya kosa na ataadhibiwa na Bunge la Taifa kwa namna litakavyoona inafaa kufuatia mapendekezo ya Kamati ya Upeperushaji wa Matangazo ya Bunge.

(2) Kamati ya Upeperushaji wa Matangazo ya Bunge itatayarisha taratibu za kuhakikisha kwamba Masharti haya yanatekelezwa.

Matumizi

8. Masharti haya yatatumika kwenye upeperushaji wa shughuli katika Bunge la Taifa, kwenye Kamati na kadri itakavyofaa, katika shughuli na matukio mengine ya Bunge.

SECOND SCHEDULE

DEPARTMENTAL COMMITTEES

[Standing Order 216]

Committee	Subjects
A Administration and National Security	National security, police services, home affairs, Public Administration, Public Service, Prisons, Immigration, the management of natural disasters, and community service orders.
B Agriculture and Livestock	Agriculture, livestock, irrigation, fisheries development, production and marketing.
C Communication, Information and Innovation	Communication, information, media and broadcasting (except for broadcast of parliamentary proceedings), Information Communications Technology (ICT), development and advancement of technology and modernization of production strategies.
D Defence and Foreign Relations	Defence, intelligence, foreign relations, diplomatic and consular services, international boundaries, including territorial waters and international relations.
E Education and Research	Education, training and research.
F Energy	Fossil fuels exploration, Development, production, maintenance and regulation of energy.
G Environment and Natural Resources	Matters relating to climate change, environment management and conservation, forestry, water resource management, wildlife, mining and natural resources, pollution and waste management.

NYONGEZA YA PILI

KAMATI ZA KIIDARA

(Kanuni ya 216)

Kamati	Masuala
A Utawala na Usalama wa taifa	Usalama wa taifa, huduma za polisi, mambo ya ndani ya nchi, Uongozi wa umma, Utumishi wa Umma, Magereza, Uhamiaji, Usimamizi wa majanga ya kiasili, na amri za vifungo vya nje.
B Kilimo na Mifugo	Kilimo, mifugo, unyunyizaji maji, ukuzaji wa uvuvi, uzalishaji na uuzaji.
C Mawasiliano, habari na uvumbuzi	Mawasiliano, habari, vyombo vya habari na utangazaji (isipokuwa utangazaji wa shughuli za Bunge), Teknolojia ya Habari na Mawasiliano (TEHAMMA), maendeleo na uboreshaji wa teknolojia pamoja na mikakati ya uzalishaji ya kisasa.
D Ulinzi na Mahusiano ya Kigeni	Ulinzi, ujasusi, mahusiano ya kigeni, huduma za kidiplomasia na kibalozi, mipaka ya kimataifa, ikijumuisha mipaka ya majini na mahusiano ya kimataifa.
E Elimu na Utafiti	Elimu, Mafunzo na Utafiti.
F Kawi	Uchunguzi wa Mafuta ya visukuku, uendelezaji, uzalishaji, usimamizi na udhibiti wa kawi.
G Mazingira na mali asili	Masuala yanayohusu mabadiliko ya tabianchi, usimamizi na hifadhi ya mazingira, misitu, usimamizi wa rasilimali ya maji, wanyamapori, uchimbaji wa madini na mali asili, udhibiti wa uchafuzi wa mazingira na udhibiti wa taka.

H Finance and National Planning	Public finance, monetary policies, public debt, financial institutions (excluding those in securities exchange), investment and divestiture policies, pricing policies, banking, insurance, population, revenue policies including taxation, national planning and development.
I Health	Matters related to health, medical care and health insurance.
J Justice and Legal Affairs	Constitutional affairs, the administration of law and justice, including the Judiciary, public prosecutions, elections, ethics, integrity and anti-corruption and human rights.
K Labour and Social Welfare	Labour, labour relations, manpower or human resource planning, gender, youth, social welfare and security, children's welfare, National Youth Service, the elderly and persons with disabilities.
L Lands	Matters related to lands and settlement.
M Sports, Culture and Tourism	Sports, culture, language, arts, national heritage, betting and lotteries, tourism and tourism promotion and management.
N Trade, Industry and Cooperatives	Trade, including securities exchange, consumer protection, pricing policies, commerce, industrialization including special economic zones, enterprise promotion and development including small and medium-size enterprises, intellectual property, industrial standards, anti-counterfeit policies and co-operatives development.
O Transport, Public Works and Housing	Transport, roads, public works, construction and maintenance of roads, rails and buildings, air, seaports and housing.

H Fedha na Mipango ya Kitaifa	Fedha za Umma, sera za kifedha, deni la umma, asasi za kifedha za umma (isipokuwa zile za soko la hisa), sera za uwekezaji na uuzaji wa mitaji, sera za udhibiti wa bei, biashara ya benki, bima, idadi ya watu, sera za mapato ikijumuisha utozaji kodi, mipango ya kitaifa na maendeleo.
I Afya	Masuala yanayohusu afya, huduma za matibabu na bima ya afya.
J Masuala ya Haki na Sheria	Masuala ya kikatiba, utekelezaji wa sheria na haki, ikijumuisha Idara ya Mahakama, Mashtaka ya umma, uchaguzi, maadili, uadilifu na vita dhidi ya ufisadi na haki za binadamu.
K Leba na Ustawi wa Jamii	Leba, mahusiano ya kikazi, nguvukazi au mipango ya usimamizi wa wafanyakazi, jinsia, vijana, ustawi na maslahi ya jamii, ustawi wa watoto, huduma ya vijana kwa taifa, wazee na watu wenye ulemavu.
L Ardhi	Masuala yanayohusu ardhi na makao.
M Michezo, Utamaduni na Utalii	Michezo, utamaduni, lugha, sanaa, turathi za kitaifa, michezo ya kamari na bahati nasibu, utalii, ukuzaji na usimamizi wa utalii.
N Biashara, Viwanda na Vyama vya Ushirika	Biashara, ikijumuisha soko la hisa, kulinda haki za watumiaji, sera za udhibiti wa bei, biashara, ustawi wa viwanda ikijumuisha maeneo maalum ya kiuchumi, ukuzaji wa biashara ikijumuisha biashara ndogo na za wastani, haki miliki, viwango vya ubora wa bidhaa, sera za kupambana na bidhaa ghushi na maendeleo ya vyama vya ushirika.
O Uchukuzi, Ujenzi wa Miradi ya Umma na Makazi	Uchukuzi, barabara, ujenzi wa miradi ya umma, ujenzi na ukarabati wa barabara, reli na majengo, viwanja vya ndege, bandari na makazi.

THIRD SCHEDULE

NYONGEZA YA TATU

GENERAL FORM OF A PUBLIC PETITION

MUUNDO WA JUMLA WA ARDHILHALI

[Standing Order 223]

[Kanuni ya 223]

I/We, the undersigned,

(Here, identify in general terms, who the petitioner or petitioners are, for example, citizens of Kenya, residents of county or region, workers of industry, etc.)

Mimi/ Sisi tuliotia sahihi,

[Hapa, tambulisha kwa jumla mwasilishaji ardhilhali, kwa mfano, wananchi wa Kenya, wakazi wa Kaunti au eneo, wafanyakazi wa kiwanda, nk]

DRAW the attention of the House to the following:

(Here, briefly state the reasons underlying the request for the intervention of the House by outlining the grievances or problems by summarizing the facts which the petitioner or petitioners wish the House to consider.)

NINALIFAHAMISHA/TUNALIFAHAMISHA Bunge la Taifa yafuatayo:

[Hapa, eleza kwa ufupi sababu za msingi za kutaka Bunge la Taifa liingilie kati kwa kubainisha malalamiko au matatizo kwa muhtasari wa masuala ambayo mwenye ardhilhali au wenye ardhilhali wanataka Bunge la Taifa kuzingatia.]

THAT,

[Here confirm that efforts have been made to have the matter addressed by the relevant body, and it failed to give satisfactory response.]

KWAMBA,

[Hapa thibitisha kwamba juhudi zimefanywa kuhakikisha kuwa jambo limeshughulikiwa na idara husika na imeshindwa kutoa majibu ya kuridhisha mwenye ardhilhali.]

THAT,

[Here confirm that the issues in respect of which the petition is made are not pending before any court of law, or constitutional or legal body.]

KWAMBA,

[Hapa thibitisha kwamba masuala yaliyomo kwenye ardhilhali hayapo mbele ya mahakama yoyote au asasi ya kikatiba au kisheria.]

THEREFORE your humble petitioner(s) pray that Parliament—

KWA HIVYO, mimi/sisi mwenye/wenye ardhilhali kwa unyenyekevu ninaliomba/tunaliomba Bunge—

(Here, set out the prayer by stating in summary what action the petitioners wish Parliament to take or refrain from.)

[Hapa, eleza kwa muhtasari ombi kwa kuta-ja hatua ambazo wenye ardhilhali wanaomba Bunge kuchukua au kutochukua.]

Name of petitioner	Full Address	National ID./Passport No.	Signature/Thumb impression
.....
.....
.....
.....

Jina la mwenye Ardhilhali	Anwani kamili	Nambari ya kitambulisho / Nambari ya Pasipoti	Sahihi/Alama ya kidole
.....
.....
.....
.....

(Here, repeat the summary in first page)

Name of petitioner	Signature/Thumb sion	impres- sion
.....	
.....	
.....	
.....	

(Subsequent Pages)

*** This form may contain such variations as the circumstances of each case may require.**

(Hapa, rudia muhtasari ulio katika ukurasa wa kwanza)

Jina la mwenye Ardhihali	Sahihi/ Alama ya kidole
.....
.....
.....
.....

(Kurasa zinazofuata)

***Fomu hii inaweza kubadilika kulingana na hali itakavyohitaji**

FOURTH SCHEDULE

JOINT RULES THE HOUSES OF PARLIAMENT (JOINT SITTINGS) RULES

[Standing Orders 24 (3) and 213]

Citation

1. These Rules may be called the Houses of Parliament (Joint Sittings) Rules.

Interpretation

2. In these Rules unless the context otherwise requires,—

“Houses” means the National Assembly and the Senate;

“Joint Sitting” means a joint sitting of the Houses;

“Member” means a Member of the National Assembly or of the Senate;

“the Clerks” means the Clerk of the Senate and the Clerk of the National Assembly and includes any person for the time being performing the duties of the Clerk of the Senate or of the National Assembly.

Summons to Members

3. Whenever the Houses of Parliament are to hold a joint sitting, the Clerks shall issue a summons to each Member specifying the time and place for a joint sitting.

Time of sittings

4. The hour upon which a joint sitting shall adjourn and the day and hour or the part of the same day to which it shall be adjourned shall be determined by the Speakers of the Houses of Parliament.

Presiding in joint sittings

5. (1) At a joint sitting of the Houses of Parliament, the Speaker of the National Assembly shall preside, assisted by the Speaker of the Senate.

NYONGEZA YA NNE

MASHARTI YA VIKAO VYA PAMOJA MASHARTI YA VIKAO VYA PAMOJA VYA BUNGE

[Kanuni ya 24(3) na 213]

Jina

1. Masharti haya yataitwa Masharti ya Vikao vya Pamoja vya Bunge.

Ufafanuzi

2. Katika Masharti haya, isipokuwa kama mukadha utaeleza vinginevyo, —

“Mabunge” ina maana ya Bunge la Taifa na Seneti;

“Kikao cha Pamoja” ina maana ya kikao cha pamoja cha Bunge;

“Mbunge” ina maana ya Mbunge au Seneta;

“Makatibu” ina maana ya Katibu wa Seneti na Katibu wa Bunge la Taifa na inajumuisha mtu yeyote anayeshughulika na majukumu ya Katibu wa Seneti au wa Bunge la Taifa.

Wito kwa Wabunge

3. Pale ambapo kuna kikao cha pamoja, Makatibu watamtumia kila Mbunge wito unaobainisha saa na mahali ambapo kikao cha pamoja kitafanyika.

Saa za vikao

4. Spika wa Bunge la Taifa na wa Seneti ataamua saa ambayo kikao cha pamoja kitaahirishwa na wataamua siku na saa au sehemu ya siku hiyo ambapo kikao kinachofuata kitafanyika.

Kuongoza vikao vya pamoja

5. (1) Wakati wa kikao cha pamoja, Spika wa Bunge la Taifa ataongoza kikao cha pamoja cha Bunge akisaidiwa na Spika wa Seneti.

(2) If one of the Speakers is not present, the substantive Speaker present shall preside, assisted by the Deputy Speaker of the other House.

Quorum

6. The quorum to constitute a joint sitting shall be fifteen Senators and fifty Members of the National Assembly.

Procedure at joint sittings

7. At any joint sitting, the procedure of the National Assembly shall apply with such modifications and variations as the Speaker of the National Assembly or the person presiding may consider necessary or appropriate.

Report of proceedings of joint sittings

8. The Clerks shall cause to be prepared a full report of the proceedings of every joint sitting, and shall, as soon as practicable, publish it in such form and manner as the Speakers of the Houses may, from time to time, jointly direct.

Joint Committees of Parliament

9. (1) *(Deleted)*

(2) Every resolution by a House of Parliament for the establishment of a joint committee not provided for in the Standing Orders shall be by a message to the other House, which shall state the object of such committee and the number of members to be appointed to the committee.

(3) A joint committee established under these Rules shall consist of at least five Members of each House.

(4) Prior to the commencement of any other business, every joint committee shall elect one of its members to be the Chairperson of the committee and one of its members to be the Vice-Chairperson of the committee.

(5) If the Chairperson and the Vice-Chairperson are absent at a meeting of the committee, the Members present shall appoint one of the members present to chair that meeting.

(2) Iwapo Spika mmoja hatakuwepo, Spika atakayekuwepo ataongoza kikao cha pamoja akisaidiwa na Naibu wa Spika asiyekuwepo.

Akidi

6. Akidi ya kikao cha pamoja itakuwa Maseneta kumi na watano na Wabunge hamsini wa Bunge la Taifa.

Utaratibu katika kikao cha pamoja

7. Katika kikao cha pamoja, utaratibu wa Bunge la Taifa utatumika kadri Spika wa Bunge la Taifa au kiongozi wa kikao atakavyoona inafaa.

Ripoti ya mikutano ya vikao vya pamoja

8. Makatibu wataandaa ripoti kamili ya kila kikao cha pamoja na kuichapisha haraka iwezenavyo katika umbo na mtindo utakaoelekezwa na Spika kwa pamoja mara kwa mara.

Kamati za Pamoja za Bunge

9. (1) *(Imefutwa)*

(2) Kila uamuzi wa Bunge la Taifa au Seneti wa kuunda kamati ya pamoja ambayo haijabinishwa katika Kanuni za Kudumu utakuwa kwa kupitia Ujumbe kwa Bunge la Taifa au Seneti ukitaja lengo la kamati na idadi ya wabunge watakaoteuliwa katika kamati.

(3) Kamati ya pamoja itakayoundwa kwa mujibu wa Masharti haya itakuwa na angalau wabunge watano wa Bunge la Taifa na angalau watano wa Seneti.

(4) Kabla ya shughuli yoyote kuanza, kila kamati ya pamoja itamchagua mmoja wa Wajumbe wake kuwa Mwenyekiti wa kamati na mmoja wa Wajumbe kuwa makamu Mwenyekiti wa kamati.

(5) Iwapo Mwenyekiti au Makamu Mwenyekiti hawatakuwepo katika mkutano wa kamati, Wajumbe waliopo watamchagua mmoja wao kuongoza mkutano.

(6) Unless a decision is reached by consensus, any vote to be taken in a Joint Committee shall be by separate Houses.

(7) The report of a joint committee shall be tabled in each House for consideration.

(8) Without limiting the effect of anything contained in these Rules, the Standing Orders of the Senate and the Assembly relating to select committees shall be applied, but the Speakers of both Houses may jointly give directions in instances where the Orders of the two Houses are at variance.

Clerks of a Joint Sitting

10. The Clerk of the Assembly and the Clerk of the Senate will act as joint clerks of a joint sitting and either of them may exercise a function expressed to be exercised by the Clerk.

Amendments to Joint Rules

11. (1) An amendment may be proposed to these Rules by a joint committee.

(2) The report of the joint committee under paragraph (1) proposing amendments to these Rules shall be tabled in each House.

Amendment to Standing Orders affecting both Houses

12. (1) Whenever the Speaker of a House of Parliament is of the opinion that an amendment to the Standing Orders of one House is likely to substantially alter the orderly conduct of the business or affairs between the Houses of Parliament, the Speaker shall, jointly with the Speaker of the other House, cause the respective committees dealing with the matters related to Standing Orders to jointly consider the amendments and to propose a version of the amendments that is agreeable to both Houses and report to the respective Houses.

(6) Isipokuwa kama uamuzi utafikiwa kwa maafikiano, kura yoyote itakayopigwa itapigwa kwa kutenganisha wajumbe kutoka Bunge la Taifa na wale wa Seneti.

(7) Ripoti ya Kamati ya Pamoja itawasilishwa katika Bunge la Taifa na katika Seneti kwa ajili ya kushughulikiwa.

(8) Bila kudhibiti matumizi ya Masharti haya, Kanuni za Kudumu za Seneti na za Bunge la Taifa kuhusu kamati zitatumika, lakini Spika wa Bunge la Taifa na wa Seneti wanaweza kutoa maelekezo kwa pamoja endapo Kanuni za Bunge la Taifa na za Seneti zinakinzana.

Makatibu wa Vikao vya Pamoja

10. Katibu wa Bunge la Taifa na Katibu wa Seneti watakuwa makatibu wa vikao vya pamoja na yeyote kati yao anaweza kutimiza majukumu yanayohitajika kutekelezwa na Katibu.

Marekebisho kwa Masharti ya Pamoja

11. (1) Rekebisho kwa Masharti haya linaweza kupendekezwa na Kamati ya Pamoja.

(2) Ripoti ya Kamati ya Pamoja kwa mujibu wa aya ya (1) inayopendekeza marekebisho kwa Masharti haya itawasilishwa katika Bunge la Taifa na katika Seneti.

Marekebisho kwa Kanuni za Kudumu zinazothiri Bunge la Taifa na Seneti

12. (1) Wakati ambapo Spika wa Seneti au Spika wa Bunge la Taifa atakuwa na maoni kwamba rekebisho kwa Kanuni za Kudumu za Bunge la Taifa au za Seneti linaweza kuathiri kwa kiasi kikubwa uendeshaji bora wa shughuli kati ya Seneti na Bunge la Taifa, Spika wa Bunge la Taifa na Spika wa Seneti kwa pamoja wataelekeza kamati zinazohusika na masuala yanayohusiana na Kanuni za Kudumu ili kwa pamoja zishughulikie marekebisho hayo na kupendekeza nakala ya marekebisho yanayokubalika na Bunge la Taifa na kwa Seneti na kuripoti kwa Bunge la Taifa au kwa Seneti.

(2) Paragraph (6) of Rule 9 (*Joint Committees of Parliament*) to these Orders will apply to voting in joint meetings of the Committee.

(3) The Committees under paragraph (3) shall submit a report to respective Houses of Parliament.

(2) Aya ya (6) ya kifungu cha 9 (*Kamati za Pamoja za Bunge*) ya Masharti haya itatumika katika kura kwenye vikao vya pamoja vya kamati.

(3) Kamati zilizotajwa katika aya ya (3) zita-wasilisha ripoti kwa Bunge la Taifa au kwa Seneti.

FIFTH SCHEDULE

FORM OF NOMINATION PAPER

(Standing Order 179(4))

Election of the Chairperson/Vice-Chairperson of the _____ Committee of the National Assembly to be held on the ____ day of ____ 20__.

We, the undersigned, being Members of Parliament nominated to serve in the _____ Committee of the National Assembly nominate the undermentioned person as a candidate for election as Chairperson/Vice-Chairperson of the Committee at the election.

(1) *Particulars of Candidate*

Name in Full	
National Identity Card/ Passport No.	
Sex	
Physical Address	
Political Party	
Telephone No.	

(2) *Particulars of Proposer*

Name in Full	
National Identity Card/ Passport No.	
Sex	
Physical Address	
Political Party	
Telephone No.	
Signature	

(3) *Particulars of Seconder*

NYONGEZA YA TANO

MUUNDO WA HATI YA UTEUZI

KANUNI YA 179(4))

Uchaguzi wa Mwenyekiti/Makamu Mwenyekiti wa _____ Kamati ya Bunge la Taifa utakuwa siku ya _____ Mwezi wa _____ Mwaka wa _____.

Sisi, kama Wabunge tulioteuliwa kama wajumbe kuhudumu katika Kamati ya _____ ya Bunge la Taifa tunamteua mtu anayetajwa hapa chini kugombea kuwa Mwenyekiti/Makamu Mwenyekiti wa Kamati katika uchaguzi huo.

(1) *Maelezo kumhusu mgombeaji*

Jina Kamili	
Kitambulisho cha Taifa/ Namba ya Pasipoti	
Jinsia	
Anwani	
Chama cha Kisiasa	
Namba ya Simu	

(2) *Maelezo kumhusu anayependekeza*

Jina Kamili	
Kitambulisho cha Taifa/ Namba ya Pasipoti	
Jinsia	
Anwani	
Chama cha Kisiasa	
Namba ya Simu	
Sahihi	

(3) *Maelezo kumhusu anayeunga mkono*

Name in Full	
National Identity Card/ Passport No.	
Sex	
Physical Address	
Political Party	
Telephone No.	

Jina Kamili	
Kitambulisho cha Taifa/ Namba ya Pasipoti	
Jinsia	
Anwani	
Chama cha Kisiasa	
Namba ya Simu	

And I, the aforesaid _____
do hereby consent to my nomination as a candidate for election as Chairperson/Vice-Chairperson of the _____ Committee of the National Assembly

Signature of Candidate.

Dated this..... day of
..... 20.....

Na Mimi, _____ ninakubali kuteuliwa kuwa mgombeaji wa uchaguzi wa Mwenyekiti/Makamu Mwenyekiti wa Kamati ya _____ ya Bunge la Taifa.

Sahihi ya Mgombeaji.

Tarehe..... Mwezi wa.....
Mwaka wa.....

SIXTH SCHEDULE

**FORM OF OATH/SOLEMN AFFIRMATION BY
WITNESS APPEARING BEFORE A COMMITTEE
OF THE HOUSE**

(Standing Order 191)

I _____ do swear/affirm that the evidence I shall give before this committee on the matter(s) under its consideration shall be the truth, the whole truth nothing but the truth. (In the case of an oath — so help me God.)

NYONGEZA YA SITA

**MUUNDO WA KIAPO/KUKIRI KUWAJIBIKA
KWA SHAHIDI ALIYEFIKA MBELE YA KAMATI
YA BUNGE LA TAIFA**

(Kanuni ya 191)

Mimi _____ naapa/ nakiri ya kwamba ushahidi nitakaoutoa mbele ya kamati hii kuhusu masuala yanayoshughulikiwa na Kamati utakuwa ukweli, ukweli kamili na haku-na kingine ila ukweli. (Iwapo ni kiapo - ewe Mwenyezi Mungu nisaidie.)

SEVENTH SCHEDULE

SUMMONS TO WITNESSES (Standing Order 191)

To _____

Whereas your attendance is required before the National Assembly/_____ Committee in relation to _____ (state subject matter), you are hereby required (personally) to appear before the National Assembly/_____ Committee on the _____ day of _____, 20_____, at _____ o'clock in the forenoon and to bring with you _____ (specify the information/document required to be produced).

Your reasonable travelling and subsistence allowance for one day will be reimbursed upon production of sufficient proof of expenditure. If you fail to comply with this order without lawful excuse, you will be subject to the consequences of non-attendance laid down in Standing Order 191.

Given under my hand this day of,
20.....

Clerk of the National Assembly

NOTICE: If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be delivered to the Clerk on or before the day and hour aforesaid.

NYONGEZA YA SABA

WITO KWA MASHAHIDI (Kanuni ya 191)

Kwa _____

Unahitajika kufika mbele ya Kamati ya _____ ya Bunge la Taifa kwa ajili ya _____ (taja suala), na unahitajika (wewe mwenyewe) kufika mbele ya kikao cha Bunge la Taifa/ Kamati ya _____ siku ya _____, 20_____, saa _____ kabla ya saa sita mchana na ulete _____ (taja habari au stakabadhi zinazohitajika kuwasilishwa).

Utarejeshewa gharama zako za usafiri na masurufu ya siku moja baada ya kutoa ithibati ya kuridhisha ya matumizi hayo. Ikiwa hautatii amri hii bila sababu halali, utaadhibiwa kulingana na masharti ya Kanuni ya 191.

Nimetia sahihi mnamo tarehe.....
mwezi.....20.....

Katibu wa Bunge la Taifa

ILANI: Ikiwa umeitwa kutoa stakabadhi tu na si kutoa ushahidi, utachukuliwa kuwa umetii mwiliko huu ikiwa utatuma stakabadhi husika kwa Katibu kabla ya siku na saa iliyotajwa.

EIGHTH SCHEDULE

AFFIDAVIT OF SERVICE OF SUMMONS

(Standing Order 191)

Iof
.....an officer of the Parliamentary Service Commission/police officer make oath and state as follows:

1. On 20..... at.....
(time) I served the summons in this matter on
..... at..... (place) by
tendering a copy thereof to him/her and requiring a signature on the original. He/She signed/refused to sign the summons. He/She was personally known to me/ was identified to me by ...
..... and admitted that he/she was the witness.

2. Not being able to find
.. the witness on20.....
..... at..... (time) I served the summons on (name) an adult member of the family of the witness who is residing with him/her.

3. Not being able to find
... the witness or any person on whom service could be made, on 20.....
at (time), I affixed a copy of the summons to the outer door of
..... being the house in which he/she ordinarily resides/carries on business/personally works for gain. I was accompanied by
who identified the house to me.

4.
(Otherwise specify the manner in which the summons was served).

SWORN by the said

this day of....., 20.....

Before me

Commissioner for Oaths/Magistrate.

NYONGEZA YA NANE

HATI YA KIAPO YA KUPOKEZA HATI YA WITO

(Kanuni ya 191)

Mimi
wa.....ofisa wa
Tume ya Huduma za Bunge/ofisa wa polisi ni-naapa na kueleza ifuatavyo:

1. Mnamo tarehe 20.....
saa (saa) nilimkabidhi
.....Hati ya Wito kuhusu
suala hili tarehe ka-
tika..... (mahali) kwa kutoa nakala
kwake na kuhitaji sahihi kwenye hati asilia. Am-etia sahihi/amekataa kutia sahihi kwenye Hati ya Wito. Ninamfahamu mimi mwenyewe /alitambulishwa kwangu na..... na
alikuwambia kuwa shahidi.

2. Baada ya kushindwa kumpata
..... shahidi mnamo tarehe
.....20..... saa.....
..... (saa) nilimkabidhi Hati ya Wito
.....(jina) ambaye ni mtu
mzima wa familia ya shahidi na anayeishi naye.

3. Baada ya kushindwa kumpata
.....shahidi au mtu yeyote ambaye alifaa ku-
kabidhiwa Hati ya Wito, mnamo tarehe
..... 20..... saa (saa), niliban-
dika nakala ya Hati ya Wito kwenye mlango wa
nje wa..... ambayo ni
nyumba anamoishi/kufanya biashara/anamofan-
ya kazi kwa ajili ya kujikimu. Nilikuwa nimean-
damana na.....ambaye alinionesha
nyumba hiyo.

4.
(vinginevyo, bainisha jinsi ambavyo Hati ya Kia-
po ilikabadhiwa).

KIAPOkimetolewana.....

mnamo..... mwezi....., 20.....

Mbele yangu

Kamishna wa Viapo/Hakimu

