

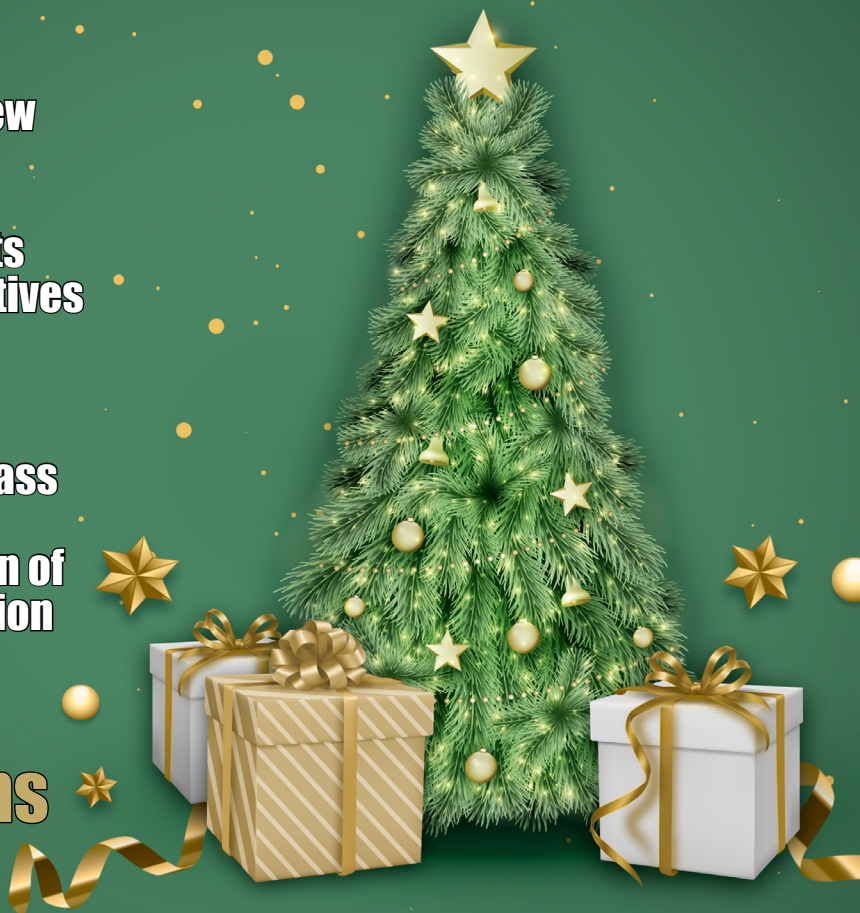
BUNGE Review

**National
Assembly
appoints new
Clerk**

**Kenya elects
representatives
to EALA**

**Members pass
law to alter
composition of
IEBC Selection
Panel**

**Curtains
Fall on
Busy First
Session**



M E R R Y
Christmas

A N D A P R O S P E R O U S 2 0 2 3

FOREWORD

Dear Reader,

It is my pleasure to welcome you to our 13th issue of the Bunge Review. This is the second issue in the 13th Parliament.

The National Assembly went on the long recess on Friday, 2nd December, 2022 till Monday, 13th February, 2022. However, there will be a lot happening during this period which we will carry in our next issue.

In this issue, we have featured a story on the achievements of the House in the First Session. Here, you will get a glimpse

on the business transacted in the House in a Session that has been busy. I wish to laud all the Members of Parliament and staff for the smooth take-off.

The National Assembly in conjunction with the Commonwealth Parliamentary Association (CPA) will early next year hold a four-day Post Election Seminar (PES) for legislators. The event, scheduled to take place on 30th January to 3rd February, 2023, promises to be invaluable to legislators. There is more about this in this issue.

This newsletter also contains stories on Speaker's guidance to regulation-making authorities on observance of provisions of statutory instruments, the passage of the Independent Electoral and Boundaries Commission (Amendment) Bill, 2022 which alters the composition of the selection panel, and Kenya Women Parliamentary Association (KEWOPA) and UN Women-led event where Members committed to achieve zero-tolerance to gender-based violence.

Inside these covers are stories of the nine Members of 12th Parliament who were recently appointed to the Cabinet including the immediate former Speaker, Hon. Justin Muturi. Also, you will find out which former Members were also appointed as Principal Secretaries. We also have a story on Kenya's elected representatives to our East Africa Legislative Assembly (EALA). You may also be interested in getting to know the new faces of our committees' leadership.

And since all work and no play makes a Member of Parliament a dull legislator, we have a full pictorial of our Members of Parliament participating in the 12th Annual East African Community- Inter-Parliamentary Games (EAC-IPG) that has just ended in Juba, South Sudan. Allow me to congratulate Members who participated in these games and our counterparts from other Parliaments. This is the spirit of our Jumuiya ya Afrika Mashariki.

You will not want to miss Jukwaa la Kiswahili which contains, as a tradition, educative Kiswahili istilahi of parliamentary terms. How many do you remember from the last issue?

Finally, the Parliamentary Service Commission and the House bestowed me with the honour to serve as the Clerk of this August House. I wish to thank the Commission and the House and promise to serve Members and Kenyans with great industry and dedication. I wish to salute Mrs. Serah Kioko and Mr. Jeremiah Ndombi, our Deputy Clerks, for their great service during the transition.

I wish you all Merry Christmas and a prosperous 2023.



MR. SAMUEL J. NJOROGE
CLERK OF THE NATIONAL ASSEMBLY

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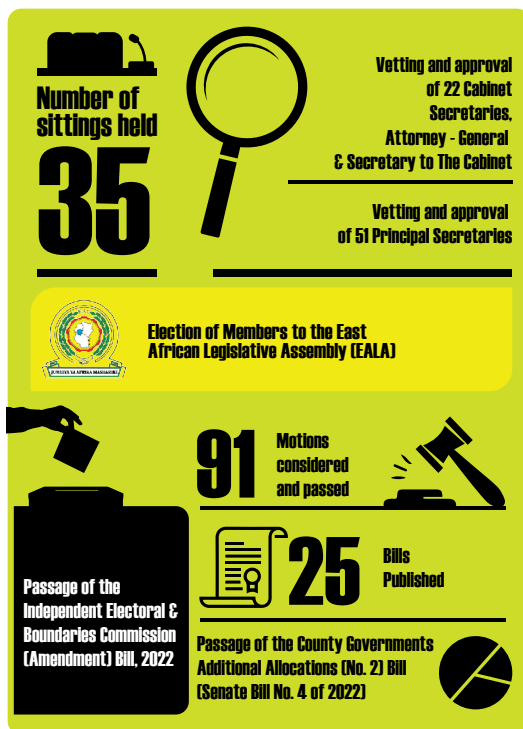
Gitonga Ruchiami



Business conducted by the National Assembly in the First Session of the 13th Parliament

The National Assembly proceeded on long recess starting 2nd December 2022 in accordance with the Calendar of the House. The House is scheduled to resume on 14th February 2023 but may be convened before then for Special Sittings.

During this First Session, the House held a total of thirty-five (35) regular sittings. Some of the key priority business deliberated during this period included the vetting of Cabinet Secretaries, the Attorney-General, Secretary to the Cabinet and Principal Secretaries, approval of members of the Commission on Revenue Allocation (CRA), the election of Members of the East African Legislative Assembly (EALA) and the passage of the County Governments Additional Allocations (No. 2) Bill, 2022.



Kenya Elects Representatives to EALA



Kenya is set to have new faces at the East African Legislative Assembly once the new term for the regional legislature commences. This follows the successful election of 9 representatives by Members of the National Assembly and the Senate.

The 9 Members were elected from the 27 candidates nominated by various political parties. The election was conducted in line with East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017 at designated polling centres set up within the National Assembly and the Senate.

During the sittings held on Thursday 17th November,

2022, Members participated in a secret ballot voting in the day-long exercise. The Kenya Kwanza Alliance had fifteen nominees from which Members were to elect 5. On the other hand, the Azimio Coalition had twelve nominees from which Members were to elect 4.

The Returning Officers for the elections were the Speakers of the two Houses of Parliament while the Clerks of the Houses of Parliament served as the Presiding Officers.

At the conclusion of the elections, the following were elected to represent Kenya in the East African Legislative Assembly Elections (EALA) –



Hassan, Omar Hassan



Kering, Zipporah Kurgat



Sankok, David Ole



Mwangi, Godfrey Maina



Iman, Falhada Dekow



Kalonzo, Kennedy Musyoka



Odinga, Irmgard Winnie



Kega, James Mathenge Kanini



Shahbal, Suleiman

Nine Members of 12th Parliament appointed to Cabinet



Nine Members of Parliament who served in the 12th Parliament have been appointed to the Cabinet. Out of those appointed, six were Members of the National Assembly and three served in the Senate.

Among the new appointees to the Cabinet are the immediate former Speaker of the National Assembly in the 11th and 12th Parliaments, Hon. Justin B. Muturi, who was appointed Attorney-General, and the former Leader of the Majority Party and Member for Garissa, Hon. Aden Duale.

The other former Members of Parliament are Hon. Alice Wahome (Kandara), Hon. Moses Kuria (Gatundu South), Hon. Aisha Jumwa (Malindi), Hon. Soipan Tuyu (Narok), Senators Kipchumba Murkomen (Elgeyo Marakwet), Prof. Kithure Kindiki (Tharaka-Nithi), and Mithika Linturi (Meru).

In order to satisfy the provision of Article 152(3) of the Constitution, four of the Members had to resign to take up their new roles as they had been elected or nominated to the 13th Parliament during the August, 2022 General Elections. These were Hon. Aden Duale, Hon. Alice Wahome, Sen. Kipchumba Murkomen and Sen. Soipan Tuyu (Nominated).

The nine Members were part of the twenty-two nominees vetted by the National Assembly Committee on Appointments chaired by the Speaker, Rt. Hon. Moses M. Wetang'ula. Following approval by the House, the Cabinet Secretaries were formally appointed by His Excellency President Dr. William Ruto on 26th September 2022.

They were appointed to serve in the following positions –



1. Hon. Justin B. Muturi – Attorney-General



2. Hon. Aden Duale – Ministry of Defence



3. Hon. Aisha Jumwa – Ministry of Public Service & Gender Affairs



4. Hon. Alice Wahome – Ministry of Water, Sanitation & Irrigation



5. Hon. Moses Kuria – Ministry of Trade, Investment & Industry



6. Sen. Soipan Tuyu – Ministry of Environment & Forestry



7. Sen. Kipchumba Murkomen – Ministry of Roads, Transport & Public Works



8. Sen. Prof. Kithuri Kindiki – Ministry of Interior & National Administration



9. Sen. Mithika Linturi – Ministry of Agriculture & Livestock Development

In addition, two former Members Hon. Patrick Mariru and Hon. Nixon Korir were appointed as Principal Secretaries in State Department for Defence and State Department for Lands & Physical Planning respectively.



Hon. Nixon Korir



Hon. Patrick Mariru

National Assembly Approves The Appointment Of New Clerk



On 1st November 2022, the National Assembly approved the appointment of Mr. Samuel Njoroge as the Seventh Clerk of the National Assembly of Kenya in line with the Parliamentary Service Act. This followed the conclusion of the recruitment process by the Parliamentary Service Commission which recommended the appointment of Mr. Njoroge as the Clerk.

Mr. Njoroge has immense expertise in legislative procedure and parliamentary affairs that spans two decades. Prior to his appointment as Clerk of the National Assembly, he acted as Deputy Clerk in the National Assembly. He was also the Director of the Legislative Procedural Services in the National Assembly.

He joined the public service in 2003 as a Cadet Clerk Assistant in Parliament and later served as the Lead Clerk and Head of secretariat of various Committees of the House.

His remarkable achievements include being a key player in the review of the Standing Orders since the 9th Parliament. As a result, the National Assembly has one of the most progressive rules of procedure in the region. He is also credited with programmes that have seen immense progress in the institution including the implementation of full paperless operations in the National Assembly, and the formulation of rules for virtual sittings of the House during the COVID-19 Pandemic.

Mr. Njoroge has participated in various parliamentary workshops, conferences and seminars including the Commonwealth Parliamentary Association (CPA), the Inter-Parliamentary Union (IPU) and the Organisation of African and Caribbean States-EU (OACPS-EU) and is a member of the Commonwealth Society of Clerks-at-the-Table (SOCATT).

He has undertaken various short courses and attachments on leadership, strategic management, legislative, procedural and parliamentary affairs in various legislatures including the UK House of Commons and House of Lords, the House of Commons of Canada, Parliament of Ghana, USA Congress, Parliament of Australia, South Africa, The Knesset of Israel, India's Lok Sabha, German Bundestag, Finnish Parliament (Riksdag), and The National Diet - Japan. He has also attended various senior management courses including the Legislative Strategic Management (LSM) Course at the International Law Institute (ILI, Washington, DC) and the Senior Management Course (SMC) at the Kenya School of Government (KSG).

As a parliamentary officer, Mr. Njoroge has risen through the ranks in the Clerkship cadres of the House and has served in different positions including Senior Clerk Assistant, Principal Clerk Assistant, Assistant Deputy Clerk (Deputy Director), Director of Legislative & Procedural Services, and Acting Deputy Clerk of the National Assembly. He has also served as a member of the Board of Senior Management of Parliament; Lead Liaison Officer between the National Assembly and the Judiciary; member of the National Council for Law Reporting (Kenya Law); and Head of the Taskforce on the Development of Speaker's Guidelines on the conduct of the business of the House during the Covid-19 Pandemic.

Mr. Njoroge holds a Master's Degree in Business Administration (MBA) with specialization in Strategic Management from the University of Nairobi. He has also undertaken various courses and legislative trainings including certificates in Legislative Management from McGill University in Montreal, Canada and a number of other short courses that have contributed to his rich wealth of knowledge.



Mr. Samuel Njoroge (The new Clerk of The National Assembly) makes a presentation at a past function

Members Commit to Achieve Zero-Tolerance Against Gender-Based Violence



The National Assembly Deputy Speaker Hon. Gladys Boss makes her remarks during the event

The Kenya Women Parliamentary Association (KEWOPA) has pledged to work together with all stakeholders to ensure a "GBV Free Kenya". The pledge was made at an event held in Parliament Buildings where the National Assembly Deputy Speaker Hon. Gladys Boss led legislators in commemorating the 16 days of activism against gender-based violence.

Speaking at the event themed, **"UNiTE! Activism to end violence against women and girls"** the Vice Chairperson of KEWOPA Hon. Rozaah Akinyi Buyu (Kisumu West), speaking on behalf of the Chairperson of KEWOPA Hon. Gathoni Wamuchomba (Kiambu County), noted that GBV transcends all social classes from the elite to the vulnerable groups in the society and therefore there is need for collective responsibility to end this vice.



KEWOPA who had partnered with the UN Women group in organizing the event raised an alarm over the high number of women dying as a result of violence, with intimate partners being the major perpetrators. They called on all legislators to fully support laws that shoulder activism against GBV.

Country Director for UN Women Kenya, Anna Mutavati, shared insights on how safe shelters that are spread out in all the 47 counties have provided a safe haven for women undergoing GBV. She also challenged County Women Representatives to find time to check the status of the safe shelters in their respective counties.

On her part, the Deputy Speaker, Hon. Boss, called for reforms within the Kenya Police Service as the first point of contact when dealing with GBV cases. She challenged the Service to respond effectively and offer support to victims.



Key stakeholders involved in support of ending gender-based violence were present. The European Union Ambassador to Kenya, H.E Henriette Geiger, assured all stakeholders of support, "Gender Based Violence remains the most pervasive human rights violation around the world." H.E Henriette Geiger.

The Senate Deputy Speaker, Sen. Kathuri Murungi, declared Senate's support to ensure Kenya achieves a zero-tolerance level against GBV. He advocated for support of boys and men facing gender-based violence.

All Members present appended their signatures on a commitment wall as a symbol of their personal commitment to end gender-based violence and support of victims.



Members pass law to alter composition of IEBC Selection Panel

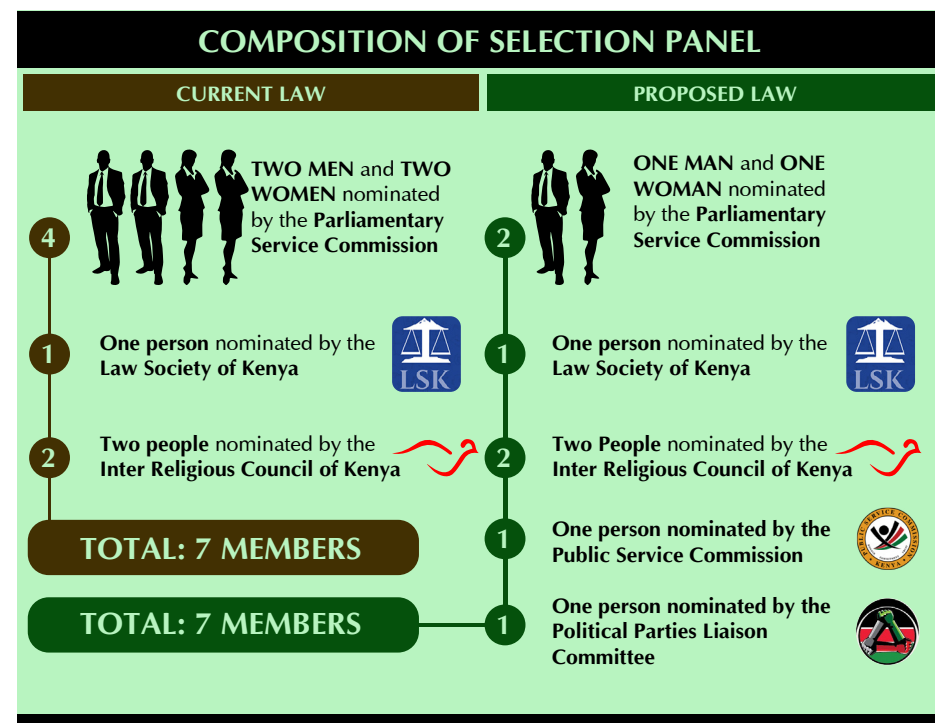
The composition of Selection Panel that fills vacant positions in the Independent Electoral and Boundaries Commission (IEBC) is set to change after a new law sponsored by the Leader of Majority Party, Hon. Kimani Ichung'uwa, was passed by the House.

Published on 2nd November, 2022, the Independent Electoral and Boundaries Commission (Amendment) Bill 2022, was passed without amendments in the Committee Of The Whole House on 1st December, 2022 before the House went on long recess.

The Bill seeks to amend the First Schedule to the Independent Electoral and Boundaries Commission Act, No. 9 of 2011, to change the composition of the Selection Panel that oversees the filling of vacant positions in the Commission. The proposal seeks to

reduce the number of persons that the Parliamentary Service Commission nominates from four to two. This will allow the Political Parties Liaison Committee, established under section 38 of the Political Parties Act, No. 11 of 2011, and the Public Service Commission, to each nominate one member to the Panel.

Under the proposed law, the new look of the Selection Panel will consist of one man and one woman, nominated by the Parliamentary Service Commission; one person nominated by the Public Service Commission; one person nominated by the Political Parties Liaison Committee; one person nominated by the Law Society of Kenya; and two persons nominated by the Inter-religious Council of Kenya.





Pictorial

Kenya Participates In The 12th Annual EAC-IPG Games

Speaker of the National Assembly, the Rt.Hon.Moses Wetang'ula led the Kenyan delegation to the 12th East African Community Inter-Parliamentary Games (EAC-IPG) held in Juba, Republic of South Sudan. His counterpart from the Transitional National Legislature of South Sudan, Hon. Jemma Nunu Kumba officially opened the games, which took place from 25th November to 2nd December 2022.

The theme for this year's games was; **Widening, Deepening and Tightening Integration by increasing visibility to its citizens.** The games coordinated by the East African Legislative Assembly (EALA) on an annual basis, play a fundamental role in enhancing interaction between legislators and Parliamentary staff from the partner states.





National Assembly, CPA Partner to hold capacity building seminar for MPs



Former speaker of the National Assembly Hon. Justin Muturi addresses delegates at the last POST ELECTION SEMINAR held at the Pride Inn Beach Resort in Mombasa in March 2018

The National Assembly in conjunction with the Commonwealth Parliamentary Association (CPA), will early next year hold a four-day Post Election Seminar (PES) for legislators. The event, which as per tradition within the Commonwealth legislatures takes place at the beginning of a new term of Parliament, is scheduled to take place from 30th January to 3rd February, 2023.

Speaker of the National Assembly, the Rt. Hon. Moses Wetang'ula, informed the House of the seminar through a Communication delivered on 29th November, 2022. He explained that the seminar aims to build capacity for the legislators in all aspects of good parliamentary practice, as well as promote national values and ideals of parliamentary democracy.

Speaker Wetang'ula further told the House that besides the Commonwealth Secretariat, the National Assembly would reach out to its other partners in capacity building so as to benefit on matters touching of bicameral and multi-party democracy. These

partners include the United States of America's National Democratic Institute (NDI), and the International Republican Institute (IRI).

He urged the Members who were scheduled to proceed on their long recess from Friday 2nd December, 2022, to create time during the recess to attend the all-important seminar. He noted that the forum would help them gain a better understanding of parliamentary systems and processes while also affording them an opportunity to hear and interact with resource persons who are experts in Parliamentary matters.

"Most importantly, the sessions will provide Members with a window to gain a better understanding of parliamentary systems and processes in established jurisdictions such as the United Kingdom and the United States, among others, while also affording opportunity to hear and interact with speakers from some of our sister Parliaments within the East African Community and the larger continent of Africa," he told MPs.

Speaker Issues Guidance after Members Decry Breach of Statutory Instruments Act



While citing the Statutory Instruments Act, No.23, the former Speaker had stated that: "Under Section 11 of the Act, every Cabinet Secretary responsible for a regulation-making authority shall within 7 sitting days after the publication of a statutory instrument, ensure that a copy of the statutory instrument is transmitted to the Clerk for tabling before the House together with an explanatory memorandum in the manner prescribed in the Schedule. Upon receipt of the statutory instrument and the memorandum, the Clerk enters this instrument into the register required to be maintained under the Act."

Noting that as per the requirements of the Constitution, the Act subjects statutory instrument to scrutiny by Parliament, the Speaker has now ruled that any instrument said to be made pursuant to a power granted by an Act of Parliament must be brought before Parliament for scrutiny.

At the same time, the Speaker admonished the regulation-making bodies and other functionaries of the Executive for not only leading the general public by statutory instruments merely on the basis that they have been published. He noted that the public is not able to access information on when and whether such statutory instruments have had the force of law. He reminded them that Kenyans are now more aware of their rights.

"Currently, a public-spirited citizen is the one required to ascertain whether a particular instrument that impacts on his or her rights was indeed tabled before Parliament. Again, if the citizen discovers that an instrument was not laid before Parliament and has not therefore been scrutinized, he or she is the one to seek judicial review and quashing of that instrument. To my mind, Parliament ought not to allow such a state of affairs to exist unchecked", he said.

The Speaker has since ruled that to insulate the public from blind obedience of instruments that are seemingly immunized from Parliamentary scrutiny, the House may resolve to direct the publication of a notice highlighting the non-compliant statutory instruments and their fate in light of Section 11 of the Statutory Instruments Act, 2013.

Speaker of the National Assembly, the Rt. Hon. Moses Wetang'ula has cautioned Ministries and Government agencies against subjecting Kenyans to the observance of regulations which have not been approved by Parliament. While issuing guidance to the House following a request by the Chair of the Committee on Delegated Legislation, Hon. Samuel Chepkonga over the matter, the Speaker noted that Article 94(5) of the Constitution vests Parliament with a unique legislative mandate to the exclusion of any other person or body.

"A person or body other than Parliament may only issue an instrument having the force of the law under authority conferred by the Constitution or by legislation", he told the House.

The Speaker observed that Hon. Chepkonga had in seeking his guidance on the powers of the Committee in relation to statutory instruments that have not been tabled in the House, alluded to a similar warning by his predecessor in the 12th Parliament. According to Hon. Chepkonga, the former Speaker had made the warning after taking notice of the practice adopted by regulation-making authorities of neglecting or failing to transmit regulations to the House.

NATIONAL ASSEMBLY COMMITTEES' LEADERSHIP

CHAIRPERSONS & VICE-CHAIRPERSONS AS AT 15TH NOVEMBER, 2022

AUDIT, APPROPRIATIONS AND OTHER SELECT COMMITTEES

HOUSE BUSINESS COMMITTEE
COMMITTEE ON APPOINTMENTS
COMMITTEE ON POWERS & PRIVILEGES
PROCEDURE & HOUSE RULES COMMITTEE



Hon. Moses Wetangula EGH, M.P.
Speaker of the National Assembly

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Deputy Speaker

VC: Hon. Martha Wangari, M.P.
(First Chairperson of Committees)

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Hon. Didmus Wekesa Barasa Mutua, M.P.



COMMITTEE NAME

COMMITTEE CHAIRPERSON

COMMITTEE VICE CHAIRPERSON



COMMITTEE NAME

COMMITTEE CHAIRPERSON

COMMITTEE VICE CHAIRPERSON



DID YOU KNOW?

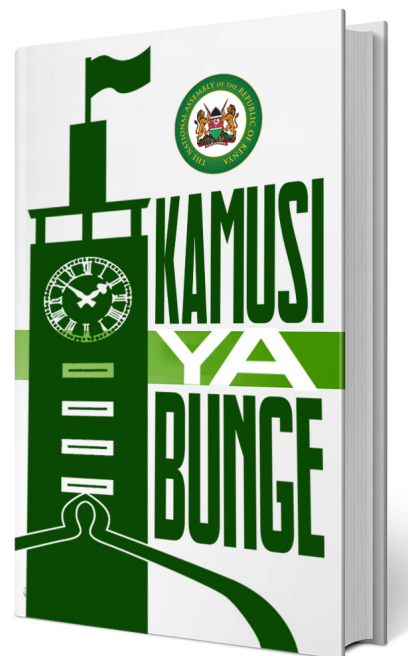
Did you know that you do not have to come to Nairobi to meet your Member of Parliament? There are 337 Constituency Offices for MPs with a complement of 7,000 officers who assist legislators to achieve their mandate.

Currently, all the 337 Constituency Offices are managed from the Constituency Liaison Office in Parliament. The Parliamentary Service Commission (PSC) operates 290 Constituency Offices for Members of the National Assembly elected in single-member Constituencies, 47 for County Women Representatives and another 47 County Liaison Offices for Senators. Offices for specially-elected Members (popularly known as Nominated Members) are domiciled within the precincts of Parliament.

The PSC adopted the Constituency Offices model in 2005 to facilitate legislators in serving their constituents. The operations of the offices are governed by the Parliamentary Service (Constituency Offices) Regulations, 2005.

JUKWAA LA KISWAHILI

Baadhi za Istilahi zinazotumika bungeni



1. Committee of the whole House
- Kamati ya Bunge Zima
2. Recess
- Likizo
3. Third Reading
- Mswada Kusomwa Mara ya Tatu
4. Statement of the objects and reasons of the Bill
- Kauli ya madhumuni na sababu za Mswada
5. Statement of delegation of legislative powers
- Kauli ya kukasimisha mamlaka ya kutunga sheria
6. Consolidated Fund
- Mswada wa Hazina Kuu
7. Appropriation Bill
- Mswada wa Kuidhinisha Matumizi ya Fedha
8. Supplementary Appropriation Bill
- Mswada wa Kuidhinisha Matumizi ya Ziada ya Fedha
9. County Allocation of Revenue Bill
- Mswada wa Kutenga Mapato kwa Kaunti
10. Division of Revenue Bill
- Mswada wa Kugawa Mapato
11. National Government Constituencies Development Fund
- Hazina ya Serikali ya Taifa kwa Maendeleo ya Maeneobunge.
12. The National Government Affirmative Action Fund
- Hazina ya Serikali ya Taifa kwa Hatua Sawazishi.



Got Views?

Enjoying *Bunge Review*? Got questions regarding some of the articles? Have ideas on what you would like to see in the next issue? Got ideas on how we can improve?

We would like to hear from you. Give us your feedback on;
nanewsletterfeedback@gmail.com



BACKGROUND

Bunge Housing Co-operative Society Ltd was registered in 2019 by the Ministry of Co-operative Development & Marketing. The main objective is to purchase land and build houses for both members and non-members.

OBJECTIVES

- a) To buy and or sell land, houses, and other ancillary services to members.
- b) To provide facilities for physical and cultural recreation and all such other matters as are usual, customary and desirable for building estates, blocks of flats or single dwellings.

MEMBER BENEFIT

- ✓ Dividends on profit realized from Bunge Housing Cooperative (BHC) activities.
- ✓ Preferential terms on the purchase of land and/or houses undertaken by BHC.
- ✓ Priority allocation to members for land and housing developments undertaken by BHC.
- ✓ Discounted rates on our projects.



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