



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (SECOND SESSION)

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE PRESIDENT

_____ (No.001 of 2023) _____

**REGARDING CERTAIN PROPOSALS TO AMEND THE
CONSTITUTION AND THE STANDING ORDERS TO ACTUALIZE
THE ASPIRATIONS OF KENYANS**

1. **Honourable Members**, Standing Order 42(2) states, and I quote –
"(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."
2. In this regard **Honourable Members**, I wish to report to the House that on **9th December 2022**, I received a Message from H.E. the President regarding various proposals including proposals to amend the Constitution and the Standing Orders through *gender inclusion and affirmative action; establishment of the Constituency Development; Senate Oversight and National Government Affirmative Action Funds; establishment of the Office of the Leader of the Official Opposition and strengthening of parliamentary oversight of the Executive.*

3. In the Message, H.E. the President notes the legislative endeavours to facilitate greater political participation by women as well as the sustained increase in the number of elected women leaders in the current political formation. The situation however falls short of the minimum constitutional requirement and therefore necessitating deliberate action from all stakeholders. This would, for example, include the amendment of the Constitution to provide for a formula to guide the computation of the gender ratio in the National Assembly based on the number of those elected from the constituencies in the case of the National Assembly, and the counties, in the case of the Senate in line with Articles 97(1)(a) and 98(1)(a) of the Constitution.
4. Additionally, **Honourable Members**, the Message also conveys proposals to institutionalize the Constituency Development Fund, the Senate Oversight Fund and the National Government Affirmative Action Fund noting the great impact that such Funds have had to the general public.
5. In order to ensure greater political inclusivity and to promote effective checks and balances and sound institutional practices, H.E. the President has proposed the establishment of the Office of the Leader of Official Opposition noting that this would inculcate bipartisan symmetry between the majority and minority sides extends to its full logical extent.

Honourable Members,

6. The Message from the President also conveys a proposal for increased parliamentary oversight of the Executive through the facilitating avenues for accountability through parliamentary business. Specifically, it is proposed that the Rules of the House be aligned to allow Cabinet Secretaries to respond to questions raised by Members on the floor of the House. This would enhance transparency and close the information gap between citizens and the government and thereby enhancing public trust.

Honourable Members,

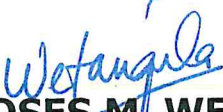
7. In line with the resolution of the House of Wednesday, 12th October 2022 relating to *Consideration of Certain Business received during the Recess Periods*, I did transmit this Message to all Members vide my Notification No. 004 of 9th December 2022. I also referred the Message to respective Committees as follows –

- (i) The ***Departmental Committee on Justice & Legal Affairs*** to consider the Message from H.E. the President with respect to the implementation of the Two-Thirds Gender Rule; and the establishment of the Office of the Leader of Official Opposition;
- (ii) The ***Joint Parliamentary Ad Hoc Committee on Proposals to amend the Constitution to entrench certain Specialized Funds*** to consider the Message from H.E. the President with respect to the establishment of the Constituency Development, Senate Oversight and National Government Affirmative Action Funds; and

(iii) The **Procedure and House Rules Committee** to consider the Message from H.E. the President with respect to request to consider amending the Standing Orders to strengthen parliamentary oversight of the Executive.

8. The Committees are required to consider the Message from H.E. the President, undertake necessary public participation as required under Article 118 of the Constitution and submit their respective reports to the House for consideration.
9. Noting the weighty nature of the proposal contained in the Message from the H.E. the President, I urge the respective Committees to hasten in the consideration of the specified matters and report back to the House as soon as is practicable.
10. Additionally and pursuant to Standing Order 114(7A), I shall facilitate general debate on the Message from H.E. the President on the matters relating to amendment of the Constitution as part of the collation of views on the proposed changes. Indeed, **Honourable Members**, you will notice from the Notice Paper, the General Debate on these three matters is scheduled to commence Wednesday 15th February, 2023, subject to approval by the House Business Committee. Members who may have similar or related proposals are encouraged to make submissions at the appropriate time.

I thank you!


THE RT. HON. MOSES M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, February 14, 2023