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**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT - (THIRD SESSION)**

**THE NATIONAL ASSEMBLY  
COMMUNICATION FROM THE CHAIR**

*(No. 009 of 2024)*

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**MEMBERS' COMMENTS ON LEGISLATIVE PROPOSALS TO AMEND  
ARTICLES 88 AND 89 OF THE CONSTITUTION**

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**Honourable Members,**

- 1.** You will recall that on 6<sup>th</sup> December 2023, I allowed the Member for Mandera North, the **Hon. Maj. (Rtd) Abdullahi Bashir Sheikh, MP** and the Member for Thika Town, the **Hon. Alice Ng'ang'a, CBS, MP** to make statements on their respective legislative proposals seeking to amend the Constitution.
- 2.** The proposal by the Member for Mandera North seeks to amend Article 88 of the Constitution to provide that, in instances where the Independent Electoral and Boundaries Commission (IEBC) is not fully constituted, the Secretary to the IEBC shall discharge the duties and functions of the Commission with regards to the conduct of by-elections.
- 3.** On the other hand, the proposal by the Member for Thika Town seeks to amend Article 89 of the Constitution to require the Independent Electoral and Boundaries Commission to ensure that the review of constituency boundaries does not result in the loss of a constituency that existed prior to the promulgation of the Constitution.

4. **Honourable Members**, when the two Members made their initial statements, I undertook to nominate a time for the House to make general comments on the two proposals. As such, in order to actualize the provisions of Standing Order 114(7A), I will today, **not later than 6pm**, allow Members to make comments on the legislative proposals whose text is appended to the Order Paper.
5. Thereafter, I will refer the proposals to the **Departmental Committee on Justice and Legal Affairs** or issue other directions, in view of the comments that will be made by Members during the proceedings. Any Member with similar or related proposals will be at liberty to make submissions to the Committees for consideration in line with Standing Order 114(7A).

The House is accordingly guided.

**I thank you.**

  
**THE RT. HON. (DR.) MOSES F. M. WETANG'ULA, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**

Thursday, 7<sup>th</sup> March 2024