



# THIRTEENTH PARLIAMENT THE NATIONAL ASSEMBLY



## REPORT OF THE THIRD SESSION

13<sup>TH</sup> FEBRUARY 2024 - 10<sup>TH</sup> FEBRUARY 2025





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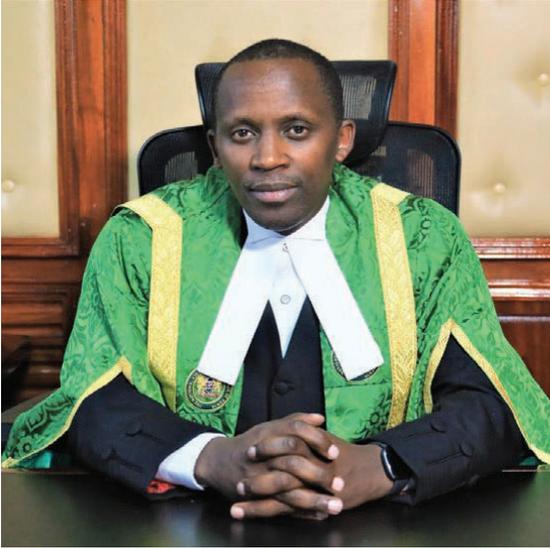
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## FOREWORD BY THE CLERK OF THE NATIONAL ASSEMBLY



*“...the House processed three hundred and five (305) Statements, one hundred and ninety-four (194) Petitions, and one hundred and seventy-five (175) Questions, significantly strengthening its oversight role.”*

The conclusion of the Third Session marks the midpoint of the 13<sup>th</sup> Parliament, offering a moment to reflect on the enduring legacy the National Assembly aims to build. This juncture prompts us to evaluate whether we have remained steadfast in fulfilling our core responsibilities of representation, legislation, and oversight.

During the session, the National Assembly introduced forty-nine (49) Bills, with seventeen (17) assented into law. Additionally, the House considered two hundred and eight (208) Motions, passing one hundred and sixty-one (161). The Assembly also reviewed and approved the appointment of eighty-five (85) individuals to various state and public offices. Furthermore, the House processed three hundred and five (305) Statements, one

hundred and ninety-four (194) Petitions, and one hundred and seventy-five (175) Questions, significantly strengthening its oversight role.

The National Assembly continued to champion inclusivity by prioritizing public hearings and stakeholder consultations on Bills and other legislative businesses. A notable highlight was the extensive constituency-level public participation during the consideration of the Motion to impeach the Deputy President. This exercise marked a significant milestone in public engagement and set a precedent for enhancing future public engagements.

As we embark on the second half of the 13<sup>th</sup> Parliament’s term, I am encouraged by the dedication and enthusiasm displayed by Members in fulfilling their constitutional mandates. There has been a clear emphasis on rigorous scrutiny of legislative proposals and robust oversight within committees.

This report provides a comprehensive overview of the National Assembly’s activities from 13<sup>th</sup> February 2024 to 10<sup>th</sup> February 2025. I extend my heartfelt gratitude to the Speaker of the National Assembly, the Parliamentary Service Commission, the House Leadership, and all Members for their exceptional contributions to advancing the Assembly’s legislative, representative, and oversight roles. I also commend the staff of the National Assembly for their unwavering commitment and teamwork in supporting Members in the House and Committees throughout the session.

**S. Njoroge, CBS**  
**Clerk of the National Assembly**

## GLOSSARY AND DEFINITION OF TERMS

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**Bill:** A proposed law for introduction in a House of Parliament seeking to introduce a new legislation, to amend or repeal an existing law(s).

**Communication from the Chair:** This is a mode through which the Speaker determines, guides or informs the House on diverse topics ranging from procedural to administrative matters. It may be a Considered Ruling, information to the House, or guidance on a matter.

**Hansard:** The verbatim report of proceedings of the plenary sitting of the House or proceedings of a committee of the House.

**House:** The National Assembly of the Republic of Kenya.

**Legislative proposal:** A formal suggestion for a new law or change to an existing law submitted by a Member of Parliament or a Committee for consideration.

**Majority Party:** The largest party or coalition of parties in the National Assembly.

**Mediation:** The process under which the Houses of Parliament attempt to resolve a deadlock on a contentious legislation undertaken by a committee consisting of equal numbers of Members of each House.

**Message:** This is a means of transmitting information between the two Houses of Parliament or between the House and the National Executive, the Judiciary or Constitutional Commissions and Independent Offices, on various matters including passage of Bills, referral of nominees for appointment to State or public offices.

**Minority Party:** The second largest party or coalition of parties in the National Assembly.

**Motion:** A formal proposal by a Member of Parliament, Committee or a parliamentary party for deliberation by the House to take certain actions or make specified resolutions.

**Paper :** A document presented to the House to formally make the information in the document available to the House and its Members, and to the public.

**Petition:** 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.

**Session:** Sittings of the House commencing when it first meets after a General Election or on a day provided for in the Standing Orders and terminating when the National Assembly adjourns at the end of a calendar year or at the expiry of the term of Parliament.

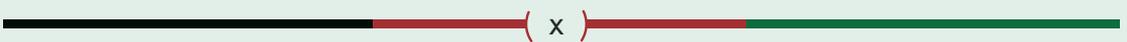
**Sitting:** A period during which the House is sitting continuously without adjournment including any period during which the House is in Committee.

**Statement:** A brief request or pronouncement presented to the House by a Member to convey or seek information on a particular matter.

**Statutory Instrument:** Any rule, order, regulation, direction, form, tariff of costs or fees, letters patent, commission, warrant, proclamation, by-law, resolution, guideline issued, made or established in the execution of a power conferred by or under an Act of Parliament.

**Treaty:** An international agreement concluded between Kenya and other States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation and includes a convention.

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## CHAPTER 1 - GENERAL OVERVIEW OF THE SESSION

### 1.1 Introduction

This Chapter provides a general overview of business transacted during the Third Session. It details the number of sittings held in the session, including special and joint sittings. The chapter highlights various changes that occurred in the National Assembly, such as the nomination of Members as Cabinet Secretaries, changes in the Leadership of the House and vacancies in offices of Members of Parliament. It also documents key events that occurred during the Session, including the official opening of Bunge Tower and the 2024 State of the Nation Address. Further, it provides a summary of the legislative business undertaken during the Session including Bills, Motions, Petitions and Statements.

### 1.2 Sittings of the Session

The Third Session of the 13<sup>th</sup> Parliament commenced on Tuesday, 13<sup>th</sup> February 2024 and ended on Monday, 10<sup>th</sup> February 2025. On Wednesday, 14<sup>th</sup> February 2024, the House approved the Calendar (Regular Sittings) for the Third Session. The House altered the Calendar five times pursuant to the Standing Order as indicated in Table 1.1. The House held one hundred and twenty-three (123) sittings out of which three (3) were Special Sittings on 13<sup>th</sup> May 2024 and 16<sup>th</sup> January 2025 (Morning and Afternoon sitting) and a Joint Sitting on 21<sup>st</sup> November 2024 ([Annex 1 - Calendar of the House](#)).

Date	Alteration
25 <sup>th</sup> June 2024	Varying the period of the Short Recess with respect to the Second Part of the Session for the Short Recess to commence on Friday, 28 <sup>th</sup> June 2024, and end on Monday, 22 <sup>nd</sup> July 2024.
26 <sup>th</sup> June 2024	Varying the period with respect to the Second Part of the Session for the Short Recess to commence on Wednesday, 26 <sup>th</sup> June 2024 and end on Monday, 22 <sup>nd</sup> July 2024 and for the Long Recess to commence on Friday, 9 <sup>th</sup> August 2024.
7 <sup>th</sup> August 2024	Varying the period of the Long Recess with respect to the Second Part of the Session for the Long Recess to commence on Friday, 16 <sup>th</sup> August 2024 and end on Monday, 16 <sup>th</sup> September 2024.
17 <sup>th</sup> September 2024	Varying the period with respect to the Third Part of the Session for the Short Recess to commence on Friday, 18 <sup>th</sup> October 2024.
16 <sup>th</sup> October 2024	Varying the period of the Short Recess with respect to the Third Part of the Session for the Short Recess to commence on Tuesday, 22 <sup>nd</sup> October 2024 and end on Monday, 4 <sup>th</sup> November 2024.

Table 1. 1 - Alteration of Calendar of the House

## 1.3 Highlights of the Session

### 1.3.1 Nomination of Members as Cabinet Secretaries

During the Session, two (2) Members were nominated as Cabinet Secretaries. The Member for Ugunja and Leader of the Minority Party (Hon. Opiyo Wandayi, EGH) was nominated to the position of Cabinet Secretary, Ministry of Energy and Petroleum and nominated Member (Hon. John Mbadi, EGH) was nominated to the position of Cabinet Secretary, the National Treasury and Economic Planning. The nominations were approved by the House on 7<sup>th</sup> August 2024 after which the two Members gave farewell messages to the House. Following their resignation as Members of Parliament, vacancies were declared in the respective constituencies as shown in Table 1.2 below:

S/No.	Member	Particulars	
(1)		Name	The Hon. John Mbadi, MP
		Constituency	Nominated
		Party	ODM
		No. of Terms served	4
(2)		Name	The Hon. Opiyo Wandayi, MP
		Constituency	Ugunja
		Party	ODM
		No. of Terms served	3

*Table 1.2 - Members of the National Assembly approved during the Third Session for appointment to the Cabinet*

It is worth noting that this was not the first time, during the 13<sup>th</sup> Parliament, that Members of the National Assembly were appointed to Cabinet. During the First Session, the Hon. Aden Duale, EGH, and the Hon. Alice Wahome, were nominated and appointed to the position of Cabinet Secretary, following their approval by the House on 26<sup>th</sup> October 2022.

### 1.3.2 Changes to the Minority Party Leadership

Following the nomination and subsequent approval of the Hon. Opiyo Wandayi for appointment as Cabinet Secretary, the Speaker, on 7<sup>th</sup> August 2024 informed the House that the Minority Party had designated Hon. Junet Mohamed, CBS, MP as the Leader of the Minority Party and Hon. Millie Odhiambo, CBS, MP as the Minority Party Whip.

### 1.3.3 Vacancy in the office of Member of Parliament

During the Session, the office of the Member of Parliament for Magarini Constituency fell vacant following a Supreme Court judgement on an Election Petition challenging his election in 2022. The Supreme Court in its Judgment in the case of *Kombe v Karisa & 3 others (Petition E020 of 2023) [2024] KESC 25 (KLR)* delivered on 31<sup>st</sup> May 2024, upheld the Court of Appeal's determination that the election for Magarini Constituency was conducted inconsistent with the law.

The decision of the Supreme Court in the case occasioned the loss of the seat by Hon. Kombe who ceased to be the Member for Magarini Constituency. Consequently, the Speaker issued the attendant writs, and the IEBC declared the seat vacant.

As at the end of the Session, Banissa, Magarini and Ugunja Constituencies and the nominated Member representing workers were vacant. The vacancy in Ugunja Constituency and the nominated Member were occasioned by the nomination, approval and appointment of Hon. Wandayi and Hon. Mbadi as Cabinet Secretaries. Further, the vacancy in Banissa Constituency arose following the demise of Hon. Kulow Maalim Hassan on 29<sup>th</sup> March 2023.

### 1.3.4 State of the Nation Address

In accordance with the provisions of Article 132(1)(c) of the Constitution, His Excellency the President, Hon. William Ruto, PhD, CGH delivered the State of the Nation Address to a Joint Sitting of the Houses of Parliament on Thursday, 21<sup>st</sup> November 2024. The President submitted to Parliament the following reports:

- (a) The 11<sup>th</sup> Report on All Measures Taken and Progress Achieved in the Realization of National Values;
- (b) The 11<sup>th</sup> Report on Progress made in fulfilling the International Obligations of the Republic; and
- (c) The Annual Report on the State of Security.

Thereafter, the House debated the Address during the afternoon and evening Sittings of Monday, 25<sup>th</sup> November 2024 and Morning Sitting of Tuesday, 26<sup>th</sup> November 2024.



Figure 1 - Speaker of the National Assembly, the Rt. Hon. Moses Wetang'ula addressing a Joint Sitting of both Houses of parliament before the President of the Republic of Kenya H.E Dr. William Ruto addressed Members of Parliament during the State of the Nation Address on Thursday, 21<sup>st</sup> November 2024



Figure 2 - President of the Republic of Kenya, H.E. Dr. William Ruto addressing a joint sitting of the Houses of Parliament during the State of the Nation Address on Thursday, 21<sup>st</sup> November 2024

### 1.3.5 Official Opening of Bunge Tower



Figure 3 - H.E. President William Ruto (center) cutting the ribbon during the official opening of the Bunge Tower on 25<sup>th</sup> April 2024

On 25<sup>th</sup> April 2024, His Excellency the President officially opened the Bunge Tower. In line with Parliamentary Service Commission Strategic Pillar VI on provision of modern facilities and secure working environment for Members and Staff, the Commission in 2008, approved a proposal for the construction of an office complex to provide sufficient office space. This was intended to ensure that Members are facilitated to undertake their constitutional duties of legislation, representation and oversight while modernizing the then existing facilities. Following the promulgation of the Constitution in 2010, the need for additional office space and committee rooms became more pressing with the increased number of Members. The building provides additional office space, a modern library, and committee rooms which has contributed to an environment that supports productivity of Members and staff.

## **1.4 Summary of House Business**

### **1.4.1 Bills**

During the Third Session, forty-nine (49) Bills were introduced in the National Assembly. Of these, twenty (20) Bills were passed, and assented to in accordance with Article 115 of the Constitution, while three (3) Bills were lost at various stages. Additionally, and in line with the bicameral consideration of legislation in Parliament, sixteen (16) Bills were referred to the House from the Senate, six (6) of which were considered and passed. The rest were at various stages of consideration in the House by the end of the Session.

### **1.4.2 Petitions**

During the Session, one hundred and ninety-four (194) Petitions were received in the National Assembly. Fifteen (15) Petitions were presented to the House, of which four (4) were reported by the Speaker and eleven (11) were presented by Members pursuant to Standing Order 225. The Petitions were committed to the Public Petitions Committee for consideration pursuant to Standing Order 227 except Public Petition regarding legal recognition and protection of e-hailing motorcycle riders and delivery personnel which was referred to the Departmental Committee on Transport and Infrastructure for consideration.

### **1.4.3 Motions**

Two hundred and twelve (212) Motions were introduced. Of this number, there were one hundred and forty (115) substantive Motions, forty-six (46) Procedural Motions, twenty (20) Special Motions, six (6) Motions for adjournment of the House pursuant to Standing Order 33. The House considered and passed one hundred and sixty (160) Motions during the Session and negatived six (6) Motions.

### **1.4.4 Papers Laid**

One thousand eight hundred and sixty-eight (1,868) Papers were laid on the Table of the House. Of this number, one thousand six hundred and thirty-three (1,633) were laid by the Leader of the Majority Party. These ranged from audited reports by the Auditor-General, annual and performance reports by Ministries, Departments and Agencies (MDAs), statutory instruments, treaties and sessional papers from the Executive. Additionally, two-hundred and thirty-five (235) papers were laid on the Table of the House by Chairpersons of Committees, Leaders of various delegations as well as by parliamentary caucuses.

## Summary of House Business



### 1.5 Directorates of the National Assembly

To streamline the operations of the National Assembly Service, the Parliamentary Service Commission has established Directorates and Departments. The various directorates, departments and units that render services to the National Assembly Service include the Directorates of Speaker’s Office; Legislative & Procedural Services; Departmental Committees; Audit, Appropriations and General-Purpose Committees; Parliamentary Budget Office; Legal Services; Litigation & Compliance Services; Hansard & Audio Services; Serjeant-at-Arms; Hospitality Department; and Liaison & Auxiliary Services Unit.

## CHAPTER 2 - PARLIAMENTARY PROCEEDINGS & HOUSE BUSINESS

### 2.1 Introduction

This Chapter provides an overview of the parliamentary proceedings and House Business conducted in the Session. It details the Communications issued from the Chair, including considered rulings on different subject matters. This chapter further highlights the Messages from the President, the National Executive, Constitutional Commissions and the Senate. In addition, the chapter also provides details of legislative tools processed during the Session including Bills, Motions, Questions, Statements, public petitions, papers laid, Statutory Instruments and Sessional Papers.

### 2.2 Communications from the Chair

From time to time, the Speaker is called upon to make a determination, guide or inform the House on diverse matters ranging from procedural to administrative issues. In doing so, the Speaker makes use of Communications from the Chair which may take various forms including –

- (i) Considered Rulings;
- (ii) Information to the House;
- (iii) Guidance to the House;
- (iv) Convocation of Special Sitting; and
- (v) Recognition of visiting delegations.

In addition, whenever the House is not in session, the Speaker may issue a Communication to Members in the form of a Notification to convey important information in accordance with the provisions of the Standing Orders.

During the Session, the Speaker issued sixty-one (61) Communications from the Chair on different subject matters, thirty-one (31) Recognitions, and seven (7) Notifications.



Figure 4 - Speaker of the National Assembly, Hon. Moses Wetang'ula issuing a Communication to the House

## 2.2.1 Communications (Considered Rulings, Information, Guidance, and Convocations)

The Communications issued during the Session are listed in Table 2.1 below –

S/No.	No. of 2024/2025	Subject	Date Issued
(1)	001	Business that Lapsed at the End of the Second Session and Reconstitution of Sessional Committees	13/02/2024
(2)	003	Report of the Multi-sectoral Working Group on the Realisation of the Two-Thirds Gender principle	27/02/2024
(3)	004	Bicameral Relations Between the Two Houses of Parliament	05/03/2024
(4)	006	Actualization of the Recommendations of the National Dialogue Committee on Amendment to the Constitution	05/03/2024
(5)	007	Withdrawal of a Specific Provision in the Statue Law (Miscellaneous Amendments) (No. 2) Bill (National Assembly Bill No. 68 of 2023)	07/03/2024
(6)	008	Appointment of Members to a Mediation Committee on the Employment (Amendment) Bill (Senate Bills No. 10 of 2022)	07/03/2024
(7)	008A	Appointment of Members to a Mediation Committee on the Natural Resources (Benefit Sharing) Bill (Senate Bills No. 6 of 2022)	13/03/2024
(8)	009	Members' Comments on Legislative Proposals to Amend Articles 88 and 89 of the Constitution	07/03/2024
(9)	009	Guide on Consideration of Senate Amendments to a Bill Originating in the National Assembly	14/03/2024
(10)	010	Invitation to Hon. Members who Profess the Islamic Faith to an <i>Iftar</i> by the Speaker	19/03/2024
(11)	012	Referral of the Kenya Sign Language Bills to the Departmental Committee on Social Protection	21/03/2024
(12)	013	Claims of Unconstitutionality of Certain Provisions of the National Government Administration Laws (Amendment) Bill (National Assembly No. 73 of 2023)	20/03/2024
(13)	014	Upcoming Priority Business and Phased Occupation of the Bunge Tower	09/04/2024
(14)	015	Withdrawal of the Land Laws (Amendment) Bill (National Assembly Bill No. 65 of 2023)	09/04/2024

S/No.	No. of 2024/2025	Subject	Date Issued
(15)	016	Official Opening of the Bunge Tower by His Excellency the President of the Republic of Kenya	17/04/2024
(16)	017	The Demise of General Francis Omondi Ogolla, EGH 'ndc" (K) 'psc' (FRA), Chief of the Defence Forces of the Republic of Kenya	23/04/2024
(17)	018	The Official Opening of Bunge Towers by His Excellency the President of the Republic of Kenya	24/04/2024
(18)	019	Referral of the Draft Affordable Housing Regulations, 2024 to the Committee on Delegated Legislation	30/04/2024
(19)	020	Invitation to the National Government Constituencies Development Fund 20 Years Anniversary Celebrations	30/04/2024
(20)	021	Notice of Motion for Dismissal of Hon. Franklin Mithika Linturi, Cabinet Secretary for Agriculture and Livestock Development	30/04/2024
(21)	023	The Annual National Prayer Breakfast-2024	30/04/2024
(22)	024	Guide on the Processing of the Resolution of the House on the Proposed Removal of a Cabinet Secretary	02/05/2024
(23)	025	Operations of the Select Committee on the Dismissal of Hon. Franklin Mithika Linturi as the Cabinet Secretary for Agriculture and Livestock Development	02/05/2024
(24)	026	Appointment of Members to a Mediation Committee on the Water (Amendment) Bill	02/05/2024
(25)	027	Convocation of a Special Sitting of the National Assembly on Monday, 13 <sup>th</sup> May 2024	13/05/2024
(26)	028	Consideration of Performance Audit Reports by Relevant Committees	13/05/2024
(27)	029	Appointment of Members to a Mediation Committee on the Division of Revenue Bill, 2024	13/05/2024
(28)	030	2024 Speaker's Roundtable with Kenya Private Sector Alliance (KEPSA)	13/05/2024
(29)	031	Interruption of Business for Pronouncement of the Budget Highlights and Revenue Raising Measures for the National Government for the Financial Year 2024/2025	13/05/2024

S/No.	No. of 2024/2025	Subject	Date Issued
(30)	032	The Advisory from the National Treasury on Measures of Supply and Ways and Means	20/06/2024
(31)	033	Proposed Amendments to the Finance Bill, 2024	25/06/2024
(32)	034	The Unfortunate and Unprecedented Events of Tuesday, 25 <sup>th</sup> June 2024	27/06/2024
(33)	035	Allegations of Bribery of Members of Parliament in the Discharge of Parliamentary Duties	23/07/2024
(34)	036	Appointment of Members to a Mediation Committee on the National Rating Bill	24/07/2024
(35)	037	Guide on Consideration of the President's Reservations to the Finance Bill, 2024	25/07/2024
(36)	038	Extension of Period for Consideration of Recommendations of the National Dialogue Committee on Proposed Amendments to the Constitution	31/07/2024
(37)	039	Guidance Following the Passage of the President's Reservations to the Finance Bill, 2024	25/07/2024
(38)	040	Appointment of Members to a Mediation Committee on the Conflict of Interest Bill, 2023	31/07/2024
(39)	041	Changes in Minority Party Leadership	07/08/2024
(40)	043	Recognition of Kenya's Performance in the 2024 Paris Olympics	13/08/2024
(41)	044	Appointment of Members to the Mediation Committee on the Sugar Bill, 2022	15/08/2024
(42)		Priority House Business	17/09/2024
(43)	046	Notice of Motion for Proposed Removal from Office, by Impeachment of H.E Rigathi Gachagua, EGH, as the Deputy President of the Republic of Kenya	1/10/2024
(44)	047	Guidance on Consideration of the Special Motion for Removal from Office, by Impeachment of H.E. Rigathi Gachagua as the Deputy President of the Republic of Kenya	1/10/2024
(45)	048	Public Participation Programme on Special Motion for the Proposed Removal From Office, By Impeachment, of Hon. Rigathi Gachagua as the Deputy President of the Republic of Kenya	2/10/2024

S/No.	No. of 2024/2025	Subject	Date Issued
(46)	049	Guidance on Consideration of the Special Motion for the Removal from Office, by Impeachment, of H.E. Rigathi Gachagua, EGH as the Deputy President of the Republic of Kenya	8/10/2024
(47)	051	Correction of Tallying Error on Division with Respect to the Special Motion on Removal from Office, by Impeachment, of H.E Rigathi Gachagua, EGH	9/10/2024
(48)	052	Appointment of Members to Mediation Committees on the Mung Beans Bill (Senate Bill No. 13 of 2022) and the Equalisation Fund Appropriation (No.2) Bill (Senate Bill No. 30 of 2023)	16/10/2024
(49)	053	Appointment of Members to a Mediation Committee on the Division of Revenue (Amendment) Bill, 2024	18/10/2024
(50)	053A	Decision of the Senate on the Proposed Removal from Office, by Impeachment, of Hon. Rigathi Gachagua, EGH, as the Deputy President of the Republic of Kenya	18/10/2024
(51)	054	Guidance on the Nomination of Prof. Kithure Kindiki, EGH, to Fill the Vacancy in the Office of the Deputy President of the Republic of Kenya	18/10/2024
(52)	055	Withdrawal of Specific Provision in the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.67 of 2023)	12/11/2024
(53)	058	Committal of Different Provisions of the Business Laws (Amendment) Bill, 2024 to Various Departmental Committees	13/11/2024
(54)	060	Authenticity and Admissibility of Papers Tabled by the Member for Mukurweini Constituency	27/11/2024
(55)	061	Proposed Amendments to the Ethics and Anti-Corruption (Amendment) Bill (National Assembly Bill No. 11 of 2024)	27/11/2024
(56)	062	Speaker's Kamukunji on Implementation of Universal Healthcare (UHC)	2/12/2024
(57)	064	Suspension of Committee Sittings During the Long Recess	5/12/2024

S/No.	No. of 2024/2025	Subject	Date Issued
(58)	065	A Legislative Proposal to Amend the Constitution	5/12/2024
(59)	066	Guidance of the Consideration of the President’s Memorandum on the County Allocation of Revenue Bill, 2024 (Senate Bill No. 25 of 2024)	5/12/2024
(60)	001 of 2025	Convocation of a Special Sitting of the National Assembly	16/01/2025
(61)	002 of 2025	2025 Mid-Term Retreat for Members of the National Assembly	16/01/2025

*Table 2. 1 - List of Communications from the Chair in the Third Session*



*Figure 5 - Students from Chelilis Girls High School of Kericho are recognised in the Public gallery*

Out of the sixty-one (61) Communications, the Speaker issued the following notable Communications on:

**(i) Bicameral Relations between the Houses of Parliament [No. 004 of 2024 issued on Tuesday, 5<sup>th</sup> March 2024]**

On a number of occasions, the Houses of Parliament experienced disputes touching on conflict on mandates and the legislative authority of each Houses, both the exclusive mandates of each House and the shared mandates. In some instances, the disputes end up in Court, including the Supreme Court, for arbitration. Over time, the judicial processes pitting the two Houses against each other were straining bicameral relations, hence affecting seamless consideration of business requiring passage by both Houses and at times, stalling business in either House or both Houses.

On Tuesday, 5<sup>th</sup> March 2024, the Speaker of the National Assembly issued Communication (No. 004 of 2024) to the House on Bicameral Relations Between the two Houses of Parliament. In the Communication, the Speaker highlighted the measures that he had taken as the Speaker of the House, together with the Leadership in both Houses of Parliament, to diffuse discord and division between the Houses and develop administrative as well as legal framework to guide cordial engagements between the Houses of Parliament.

In the Communication, the Speaker noted that –

*“..... when I took the oath of office and assumed the role of the Speaker of the National Assembly on Thursday, 8<sup>th</sup> September 2022, I also solemnly undertook to uphold comity between the two Houses of Parliament and also between the National Assembly and other arms of Government.*

*In undertaking to ensure the improvement of bicameral relations between the two Houses, I was cognizant of the unpleasant disputes relating to the processing of legislative business between the Houses. Regrettably, the disputes culminated in court action that is currently on Appeal at the Supreme Court of Kenya.*

*Subsequent to my election, I have consistently engaged the Leadership of the House and the Leadership of the Senate in discussions to reach an amicable resolution of outstanding matters on the processing of legislative business. I am glad to note that the Leadership of Parliament is united in its abhorrence of previous incidences where the Houses have exhibited discord and division on their respective mandate in the public glare.”*

In the said Communication, the Speaker also informed the House that the National Assembly was already seized of the Houses of Parliament (Bicameral Relations) Bill, 2023 (National Assembly Bill No. 44 of 2023), that is sponsored by the Hon. Samuel Chepkong’ a, M.P. and was read a First Time on 17<sup>th</sup> August, 2023, to among others, formalise bicameral relations, particularly the processing of legislative business in Parliament. He also notified the House that, in the spirit of fostering comity between the Houses, the Leadership of Parliament further resolved to refer any future bicameral disputes to Alternative Dispute Resolution (ADR) mechanisms before resorting to court action. This will ensure that bicameral matters are addressed internally in a manner that upholds and respects the privilege of Parliament.

## (ii) Claims of Unconstitutionality of Certain Provisions of the National Government Administration Laws (Amendment) Bill (National Assembly No. 73 of 2023)

During the Second Reading of the National Government Administration Laws (Amendment) Bill (National Assembly Bill No.73 of 2023) on Tuesday, 19<sup>th</sup> March 2024, the Leader of the Minority Party (Hon. Opiyo Wandayi) rose on a point of order under Standing Order 47(3)(b) and claimed that there were grave constitutional issues that touched on the substratum of the Bill, hence requiring determination by the Speaker before debate on the Bill could resume.

The Leader of the Minority Party singled out the proposed amendments to the provisions relating to the National Government Coordination Act, 2013, whose import is to create the Office of the Chief Administrative Secretary (CAS) and that of the Head of Public Service. He argued that the amendments, if passed in the manner contained in the Bill, would be unconstitutional.

The following five questions were determined by the Speaker-

### 1. Whether a state office may be created through national legislation

Article 260 of the Constitution defines a public office as “an office in the national Government, county government or the public service, if the remuneration and benefits of the office are payable directly from the Consolidated Fund or directly out of money provided by Parliament.” Article 260 of the Constitution is not couched in an exhaustive manner. Paragraph (q) of the said Article donates power to Parliament to further legislate on the subject by providing that ‘a state office also includes an office established and designated as such by national legislation.’ In the case of *Matindi & 3 others versus the National Assembly of Kenya & others* [2023] KEHC 19534 (KLR), the High Court was satisfied that a state office can be created by national legislation. The court held as follows –

*‘Whereas His Excellency the President can establish a state office within the ranks of the public service, it requires approval by the National Assembly. Such approval may be achieved by enactment of a statute, which provides for the same and further provide an appropriate framework for a cap on the number of CASs, if necessary.’*

### 2. Whether the offices of the Chief Administrative Secretary and the Head of Public Service as proposed in the Bill are public or state offices; and whether the establishment of the offices of Chief Administrative Secretary and the Head of Public Service in the form proposed in the Bill is unconstitutional

In the case of *Okoiti & another versus Public Service Commission and others* [2021] the Kenya High Court (KEHC) 464 Kenya Law Reforms (KLR), the court held that there were no processes laid down in legislation for establishing the office of Chief Administrative Secretary hence the finding of unconstitutionality. The findings in this case were reaffirmed in the latter case of *Matindi and three others versus the National Assembly*

*of Kenya & others [2023] KEHC 19534 (KLR)*, in which the Court affirmed that the offices of Chief Administrative Secretaries were State offices which could only be lawfully established and designated as state offices by national legislation. In summary, the Court in both instances emphasised on the need for legislation in order to constitutionalise the establishment of those offices.

Whereas the Bill as published does not expressly designate the two offices as either public or state offices, it follows without question that the remuneration and benefits of the offices established are payable directly out of monies to be provided by Parliament. To that extent, the offices established are public offices within the meaning of Article 260 of the Constitution. The Bill in actual fact intends to fill the lacunae in law as identified by the courts in the aforesaid cases.

### **3. What is the value of a report of a Committee on a Bill to the House during debate at Second Reading of the Bill and at Committee of the whole House**

Committees interface the House with the public, hence actualising the provisions of Article 118 of the Constitution on public participation and provisions of Standing Order 127 which provides that a 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.

Standing Order 127(3A) provides that the Departmental Committee shall take into account the views and recommendations of the public in its report to the House.

In compliance with Standing Order 127, the Departmental Committee on Justice and Legal Affairs undertook public participation on the Bill and tabled a report thereof. Further, the Committee tabled an Addendum to the Report that addresses emergent issues relating to certain provisions of the Bill. Committee reports on Bills are integral and imperative to the legislative process and the contents therein cannot be wished away.

### **4. Whether the amendments proposed by the Departmental Committee on Justice and Legal Affairs would cure any offensive provisions in the Bill**

The Committee's proposed amendments, if passed by the House, will remedy the inadequacies, if any, contained in the Bill. The purpose of Standing Order 47(3)(b) cited by the Leader of the Minority Party is to avoid an absurd situation where the House debates, votes on and possibly passes an unconstitutional motion. The House may, therefore, cure any issues of unconstitutionality, if any, during the Committee of the whole House.

The application of Standing Order 47(3)(b) is reserved for matters that are outrightly unconstitutional, whether procedurally or substantively. The issues raised by Hon. Opiyo Wandayi do not fall within that category as the House

can still cure any offensive provisions in the Bill through amendments in the Committee of the whole House noting that the report of the Justice and Legal Affairs Committee and the addendum thereof proposes amendments to the Bill. The House could therefore proceed with consideration of the Bill as it was properly before the House.

**(iii) Authenticity and Admissibility of Papers Tabled by the Member for Mukurweini Constituency**

During the Afternoon Sitting of Wednesday, 20<sup>th</sup> November 2024, the Cabinet Secretary for Education appeared before the House to respond to Questions asked by Members. In that Sitting, while asking a Supplementary Question to Question No. 096 of 2024, relating to the University of Nairobi, the Member for Mukurweini, the Hon. John Kaguchia made various claims on management and operational issues at the University of Nairobi. In line with Standing Order 91, the Hon. Kaguchia tabled copies of documents from the Ethics and Anti-Corruption Commission, the Commission for University Education (CUE), the University of Nairobi (UoN), and the Pontifical Urbaniana University, to substantiate the claims.

The Speaker had determined that the documents from the EACC and the CUE as submitted by the Hon. Kaguchia were authentic, admissible and formed part of the record of the House. The Speaker would provide further guidance on the remaining documents once they were authenticated.

**(iv) The Demise of General Francis Omondi Ogolla, EGH 'ndc' (K) 'psc' (FRA), Chief of the Defence Forces of the Republic of Kenya**



On 23<sup>rd</sup> April 2024, the Speaker reported to the House on the untimely demise of the Chief of the Defence Forces, General Francis Ogolla, EGH, 'ndc' (K) 'psc' (FRA), together with other officers of the Kenya Defence Forces. The demise occurred on 18<sup>th</sup> April 2024 following a tragic helicopter crash.

The Speaker on behalf of the National Assembly and the Parliamentary Service Commission paid tribute to the fallen servants of the people of Kenya and conveyed condolences to their families. Members were also accorded the opportunity to honour the legacy of the Late General Francis Ogolla,

EGH and to recognize his contribution to the Kenya Defence Forces in defending Kenya's sovereignty.

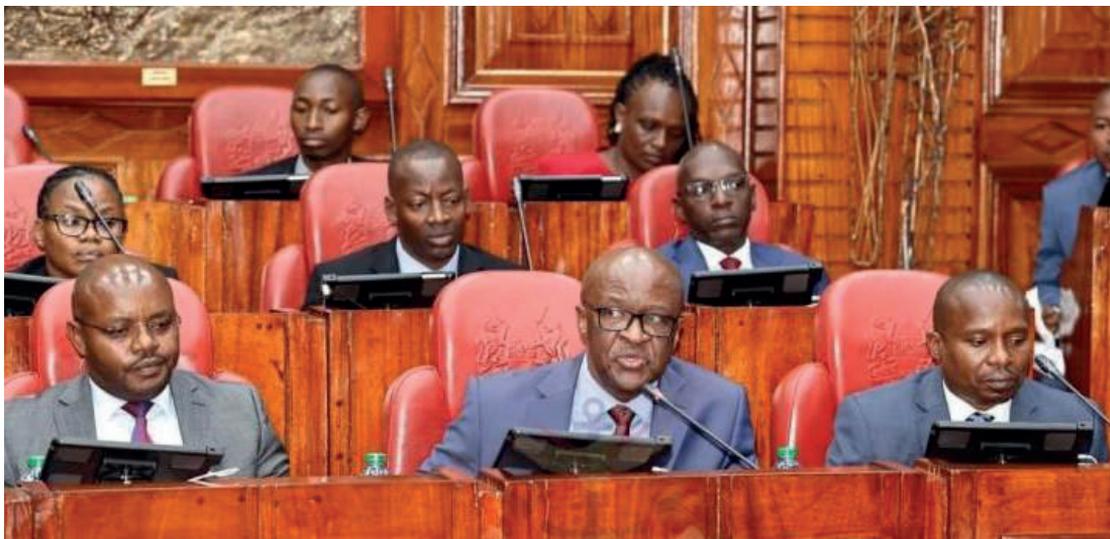


Figure 6 – (General Francis Ogolla) The late Chief of Defence Forces (center), pictured alongside the Cabinet Secretary for Interior and National Administration, Hon. (Prof.) Kithure Kindiki (right), before the Departmental Committee of Defence, Intelligence and Foreign Relations on Thursday, 2<sup>nd</sup> March 2024

#### (v) Report of the Multi-Sectoral Working Group on the realisation of the two-thirds gender principle

On 27<sup>th</sup> February 2024, the Speaker informed the House of the Report of the Multi-sectoral working group on the realisation of the two-thirds gender principle by the Cabinet Secretary for the Ministry of Gender, Culture, the Arts and Heritage which was subsequently tabled in the House. The Multi-Sectoral Working Group was appointed by the President vide Gazette Notices No. 10848 and No. 11090 published on 15<sup>th</sup> and 25<sup>th</sup> August 2023, respectively, to develop and recommend a framework for the implementation of the two-thirds gender principle as provided for in Articles 27(8) and 81(b) of the Constitution.

The report recommended constitutional amendments to provide for gender top up through party lists akin to the practice in county assemblies. The report further recommended enactment of Equality Law and legislation to implement Article 100 of the Constitution as well as other recommendations that require administrative action to achieve gender equality and empowerment of women. The report was committed to the Departmental Committee on Justice and Legal Affairs for consideration.

#### (vi) Actualisation of the recommendations of the National Dialogue Committee on the amendment to the Constitution

On 5<sup>th</sup> March 2024, the Speaker guided the House on the actualization of the recommendations of the National Dialogue Committee on amendments to the Constitution. This was following the completion and submission of the report by NADCO to Parliament and the leadership of the Kenya Kwanza and Azimio One-Kenya Coalition on constitutional, legal and policy reforms

connected to the identified issues of concern. The Communication informed Members that the Speakers of the Houses of Parliament and Leaders of the Majority and Minority Parties in both Houses had deliberated on modalities for implementing the recommendations in the report.

The House approved the Motion on establishment of the National Dialogue Committee on 16<sup>th</sup> August 2023 to facilitate dialogue and consensus building, recommend appropriate constitutional, legal and policy reforms on issues of concern to the people of Kenya focused on five key areas. The areas included electoral justice and related matters, outstanding constitutional matters, fidelity to political parties or coalitions and the law on multiparty democracy, entrenching funds into the Constitution and establishment of the Office of the Leader of the Official Opposition and Office of the Prime Minister.

Among the recommendations by NADCO were the introduction of legislative proposals to the House including the –

- (i) The Independent Electoral and Boundaries Commission (Amendment) Bill, 2024;
- (ii) The Ethics and Anti-Corruption Commission (Amendment) Bill, 2024;
- (iii) The Leader of Opposition Bill, 2024; and
- (iv) The National Government Coordination (Amendment) Bill, 2024;
- (v) The Election Offences (Amendment) (No.2) Bill, 2024

Consequently, the House introduced and passed the Independent Electoral and Boundaries Commission (Amendment) Bill, 2024 and Ethics and Anti-Corruption Commission (Amendment) Bill, 2024 which were assented to on 9<sup>th</sup> July 2024 and 11<sup>th</sup> December 2024 respectively.

## 2.2.2 Notifications from the Speaker

During the period under review, the Speaker issued the following seven (7) Notifications –

S/No.	No. of 2024	Subject	Date Issued
(1)	001	Senate Amendments to the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	03/05/2024
(2)	002	Special Sitting of the National Assembly- Monday, 13 <sup>th</sup> May 2024 at 2:30 PM	06/05/2024
(3)	004	Appointment of Senators to the Mediation Committee on the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	17/05/2024
(4)	005A	Senate Amendments to the National Rating Bill (National Assembly Bill No. 55 of 2022)	17/05/2024
(5)	005B	Referral of the Supplementary Estimates (No.1) for the Financial Year 2024/2025	12/07/2024
(6)	006	President's memorandum on the Finance Bill (National Assembly Bill No. 30 of 2024)	27/06/2024

S/No.	No. of 2024	Subject	Date Issued
(7)	007	Nomination of persons for Appointment as Cabinet Secretaries, High Commissioners and Ambassador; and Members of the Public Service Commission	20/12/2024

*Table 2. 2 - List of Notifications from the Chair during the Third Session*

## 2.3 Messages

The House processed one-hundred and four (104) Messages of which eleven (11) were from the President, two (2) from the National Executive, one (1) from a Constitutional Commission and ninety (90) were to and from the Senate.

### 2.3.1 Messages from the President

During the Session, the House received the following Messages from the President –

S/No.	No. of 2024	Subject	Date Issued
(1)	001	Nomination of Persons for Appointment to various Diplomatic Offices	21/03/2024
(2)	002	Referral by the President of the Penal Code (Amendment) Bill, 2022	02/05/2024
(3)	003	Referral by the President of the Finance Bill, 2024	23/07/2024
(4)	004	Nomination of Persons for Appointment to the Offices of Cabinet Secretaries	23/07/2024
(5)	005	Nomination of Persons for Appointment to the Offices of Cabinet Secretaries	24/07/2024
(6)	006	Nomination of Persons for Appointment as Attorney-General and Cabinet Secretary	31/07/2024
(7)	007	Nomination of a Person for Appointment as the Inspector-General of Police	01/08/2024
(8)	008	Nomination of Prof. Kithure Kindiki, EGH to Fill the Vacancy in the Office of the Deputy President of the Republic of Kenya	18/10/2024
(9)	009	Nomination of Persons for Appointment to Constitutional Commissions and Other State Offices	13/11/2024
(10)	010	The 2024 State of the Nation Address to Parliament by H.E. the President of the Republic of Kenya	14/11/2024
(11)	001 of 2025	Nomination of Persons for Appointment to Various Offices	16/01/2025

*Table 2. 3 - List of Messages from the President*

### 2.3.2 Messages from the National Executive and a Constitutional Commission

The National Assembly received the following two (2) Messages from the National Executive and one (1) Message from a Constitutional Commission on nomination of persons for appointment to various public offices –

S/No.	No. of 2024	Subject	Date Issued
(1)	001	Nomination of a Person for Appointment as the Director-General for Health from the Cabinet Secretary for Health	26/06/2024
(2)	002	Nomination of a Person for Appointment as the Director-General of the Competition Authority from the Cabinet Secretary for National Treasury and Economic Planning	13/08/2024
(3)	003	Nomination of a Person for Appointment as the Secretary/Chief Executive Officer of the Ethics and Anti-Corruption Commission (EACC) from the Chairperson of the EACC	25/11/2024

*Table 2. 4 - List of Messages from the Executive/Constitutional Commissions*



*Figure 7 - The Rt. Hon. (Dr.) Moses Wetang'ula, Speaker of the National Assembly conveying a Message to the House*

### 2.3.3 Messages from the Senate

The National Assembly received the following fifty-one (51) Messages from the Senate which the Speaker reported to the House through the following twenty-six (26) conveyances –

S/No.	No. of 2024	Subject	Date Issued
(1)	001	Approval of the Mediated Version of the County Governments Additional Allocations Bill (National Assembly Bill No. 23 of 2023)	21/02/2024
(2)	002	Passage of the Affordable Housing Bill (National Assembly Bill No. 75 of 2023)	22/02/2024
(3)	003	Resolution of the National Assembly on the Report of the National Dialogue Committee	29/02/2024
(4)	004	Decision of the National Assembly on the Employment (Amendment) Bill (Senate Bill No. 10 of 2022)	7/03/2024
(5)	005	Decision of the National Assembly on the Natural Resources (Benefit Sharing) Bill (Senate Bill No. 6 of 2022)	13/03/2024
(6)	006	Passage of the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	21/03/2024
(7)	007	Passage of the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2023)	26/03/2024
(8)	008	Passage of the Cancer Prevention and Control (Amendment) (No.2) Bill 2022	26/08/2024
(9)	009	Passage of the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024)	4/04/2024
(10)	009A	Passage of the County Allocation of Revenue Bill (Senate Bill No. 25 of 2024)	25/06/2024
(11)	010	Passage of the Land (Amendment) Bill (National Assembly Bill No. 40 of 2022)	12/04/2024
(12)	011	Decision of the National Assembly on the Senate Amendments to the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023)	3/05/2024
(13)	012	Passage of the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024)	3/05/2024
(14)	013	Passage of the County Licensing (Uniform Procedure) Bill (Senate Bill No. 9 of 2022)	3/05/2024
(15)	013A	Decision of the National Assembly on the Senate Amendments to the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	14/05/2024

S/No.	No. of 2024	Subject	Date Issued
(16)	014	Passage of the Mediated Version of the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	10/06/2024
(17)	016	Passage of the National Disaster Management Bill (National Assembly Bill No. 24 of 2023)	19/06/2024
(18)	017	Passage of the Equalisation Fund Appropriation (No.2) Bill (Senate Bill No. 30 of 2023)	
(19)	018	Approval of the Senate Amendments to the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024)	24/06/2024
(20)	019	Decision of the National Assembly on the Senate Amendments to the National Rating Bill (National Assembly Bill No. 55 of 2022)	24/07/2024
(21)	019A	Decision of the National Assembly on the Senate Amendments to the Conflict of Interest Bill (National Assembly Bill No. 12 of 2023)	31/07/2024
(22)	020	Passage of the Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024)	08/08/2024
(23)	022	Decision of the National Assembly on the Senate Amendments to the Sugar Bill (National Assembly Bill No. 34 of 2022)	20/08/2024
(24)	023	Passage of the Cotton Industry Development Bill (Senate Bill No. 5 of 2023)	20/08/2024
(25)	024	Passage of the County Governments Additional Allocations Bill (Senate Bill No. 19 of 2024)	20/08/2024
(26)	025	Approval of Special Motion for the Removal from Office, by Impeachment, of H.E. Rigathi Gachagua, EGH, the Deputy President of the Republic of Kenya	08/10/2024

*Table 2. 5 - List of Messages from the Senate*

### 2.3.4 Messages to the Senate

The National Assembly conveyed the following forty (40) Messages to the Senate in the Third Session-

S/No.	No. of 2024	Subject	Date Issued
(1)	001	Approval of the Mediated Version of the County Governments Additional Allocations Bill (National Assembly Bill No. 23 of 2023)	21/02/2024
(2)	002	Passage of the Affordable Housing Bill (National Assembly Bill No. 75 of 2023)	22/02/2024
(3)	003	Resolution of the National Assembly on the Report of the National Dialogue Committee	29/02/2024
(4)	004	Decision of the National Assembly on the Employment (Amendment) Bill (Senate Bill No. 10 of 2022)	7/03/2024
(5)	005	Decision of the National Assembly on the Natural Resources (Benefit Sharing) Bill (Senate Bill No. 6 of 2022)	13/03/2024
(6)	006	Passage of the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	21/03/2024
(7)	007	Passage of the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bill No. 44 of 2023)	26/03/2024
(8)	008	Passage of the Cancer Prevention and Control (Amendment) (No.2) Bill 2022	26/08/2024
(9)	009	Passage of the Statutory Instruments (Amendment) Bill (National Assembly Bill No. 3 of 2024)	4/04/2024
(10)	009A	Passage of the County Allocation of Revenue Bill (Senate Bill No. 25 of 2024)	25/06/2024
(11)	010	Passage of the Land (Amendment) Bill (National Assembly Bill No. 40 of 2022)	12/04/2024
(12)	011	Decision of the National Assembly on the Senate Amendments to the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023)	3/05/2024
(13)	012	Passage of the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024)	3/05/2024
(14)	013	Passage of the County Licensing (Uniform Procedure) Bill (Senate Bill No. 9 of 2022)	3/05/2024
(15)	013A	Decision of the National Assembly on the Senate Amendments to the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	14/05/2024
(16)	014	Passage of the Mediated Version of the Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	10/06/2024
(17)	016	Passage of the National Disaster Management Bill (National Assembly Bill No. 24 of 2023)	19/06/2024

S/No.	No. of 2024	Subject	Date Issued
(18)	017	Passage of the Equalisation Fund Appropriation (No.2) Bill (Senate Bill No. 30 of 2023)	
(19)	018	Approval of the Senate Amendments to the Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024)	24/06/2024
(20)	019	Decision of the National Assembly on the Senate Amendments to the National Rating Bill (National Assembly Bill No. 55 of 2022)	24/07/2024
(21)	019A	Decision of the National Assembly on the Senate Amendments to the Conflict of Interest Bill (National Assembly Bill No. 12 of 2023)	31/07/2024
(22)	020	Passage of the Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024)	08/08/2024
(23)	022	Decision of the National Assembly on the Senate Amendments to the Sugar Bill (National Assembly Bill No. 34 of 2022)	20/08/2024
(24)	023	Passage of the Cotton Industry Development Bill (Senate Bill No. 5 of 2023)	20/08/2024
(25)	024	Passage of the County Governments Additional Allocations Bill (Senate Bill No. 19 of 2024)	20/08/2024
(26)	025	Approval of Special Motion for the Removal from Office, by Impeachment, of H.E. Rigathi Gachagua, EGH, the Deputy President of the Republic of Kenya	08/10/2024
(27)	026	Decision of the National Assembly on the Senate amendments to the Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024)	22/10/2024
(28)	027	Approval of the Mediated Version of the Water (Amendment) Bill (National Assembly Bill No. 33 of 2023)	22/10/2024
(29)	028	Approval of the Mediated Version of the Sugar Bill (National Assembly Bill No. 34 of 2022)	22/10/2024
(30)	029	Decision of the National Assembly on the Senate amendments to the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2023)	24/10/2024
(31)	030	Passage of the Technopolis Bill (National Assembly Bill No. 6 of 2024)	29/11/2024
(32)	031	Passage of the Community Health Promoters Bill (National Assembly Bill No. 53 of 2022)	29/11/2024
(33)	033	Passage of the Coffee Bill (Senate Bill No. 10 of 2023)	02/12/2024

S/No.	No. of 2024	Subject	Date Issued
(34)	034	Passage of Kenya Health Products and Technologies Regulatory Authority Bill (National Assembly Bill No. 54 of 2022)	29/11/2024
(35)	035	Passage of the Mediated Version of the Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024)	29/11/2024
(36)	036	Consideration of the President's Reservation to the County Allocation of Revenue Bill (Senate Bill No. 25 of 2024)	05/12/2024
(37)	036A	Passage of the Public Finance Management (Amendment) (No.3) Bill (National Assembly Bill No. 44 of 2024)	05/12/2024
(38)	036B	Passage of the Public Finance Management (Amendment) (No.4) Bill (National Assembly Bill No. 45 of 2024)	06/12/2024
(39)	038	Passage of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 48 of 2024)	06/12/2024
(40)	001/2025	Passage of the Cooperatives Bill (National Assembly Bill No. 7 of 2024)	16/01/2025

*Table 2. 6 - List of Messages from the Senate*

## 2.4 Public Petitions

The National Assembly received one hundred and ninety-four (194) public petitions on various subject matters. Fifteen (15) petitions were presented to the House and referred to the Public Petitions Committee except a petition regarding legal recognition and protection of e-hailing motorcycle riders and delivery personnel which was referred to the Committee on Transport and Infrastructure for consideration.

Among the Petitions presented in the House, three (3) requested for enactment of legislations as follows –

- (i) Amendment to the Penal Code to provide for the offense of sextortion by the Member for Nairobi County (Hon. Esther Passaris on behalf of Concerned Citizens of the Republic of Kenya);
- (ii) Decriminalization of attempted suicide (Dr. Lukoye Atwoli); and
- (iii) Enactment of Legislation on Development of Irrigation Infrastructure by a former Member (Hon. Boniface Gatobu).

Further, twelve (12) petitions covered various subject matters including degazettement of forest land, human wildlife conflict, completion of road projects, gazettement of hardship areas, labour injustice among others.

During the Session, the Public Petitions Committee concluded the consideration of twenty-three (23) Petitions which had been presented in the previous sessions and one regarding delays in posting medical interns, absorption of Universal Health Coverage (UHC) Contract staff, conclusion of Collective Bargaining Agreement (CBAs) and

recognition of agreement in the health sector in the country which had been presented during the Third Session.

Out of the one hundred and ninety-four (194) Petitions received by the National Assembly, one hundred and seventy-nine (179) were not presented to the House as at the end of the Session for the following reasons:

- (v) Thirty-nine (39) petitions did not meet the threshold as provided for in the law;
- (vi) Seven (7) petitions were on matters that had previously been determined by the House or were pending before the Committee;
- (vii) One hundred and thirty-two (132) petitions were processed administratively and the Petitioners advised to seek redress from relevant institutions; and
- (viii) A petition by a member of the public regarding investigation into the business conduct and integrity of the financial systems of KCB Group PLC was withdrawn by the Petitioner.

Notably, the National Assembly received a Petition on 19<sup>th</sup> April 2024 from a non-citizen. The petitioner sought the intervention of the National Assembly on release of documentation regarding compensation payment of two million British sterling pounds from the Kenyan Government under a claim made in a London Court regarding the Mau Mau veterans court settlement. This was the only petition from a non-citizen received by the Assembly. The petition was processed and found not to satisfy the requirements of the Petition to Parliament (Procedure) Act, Cap. 7E and the Standing Orders.

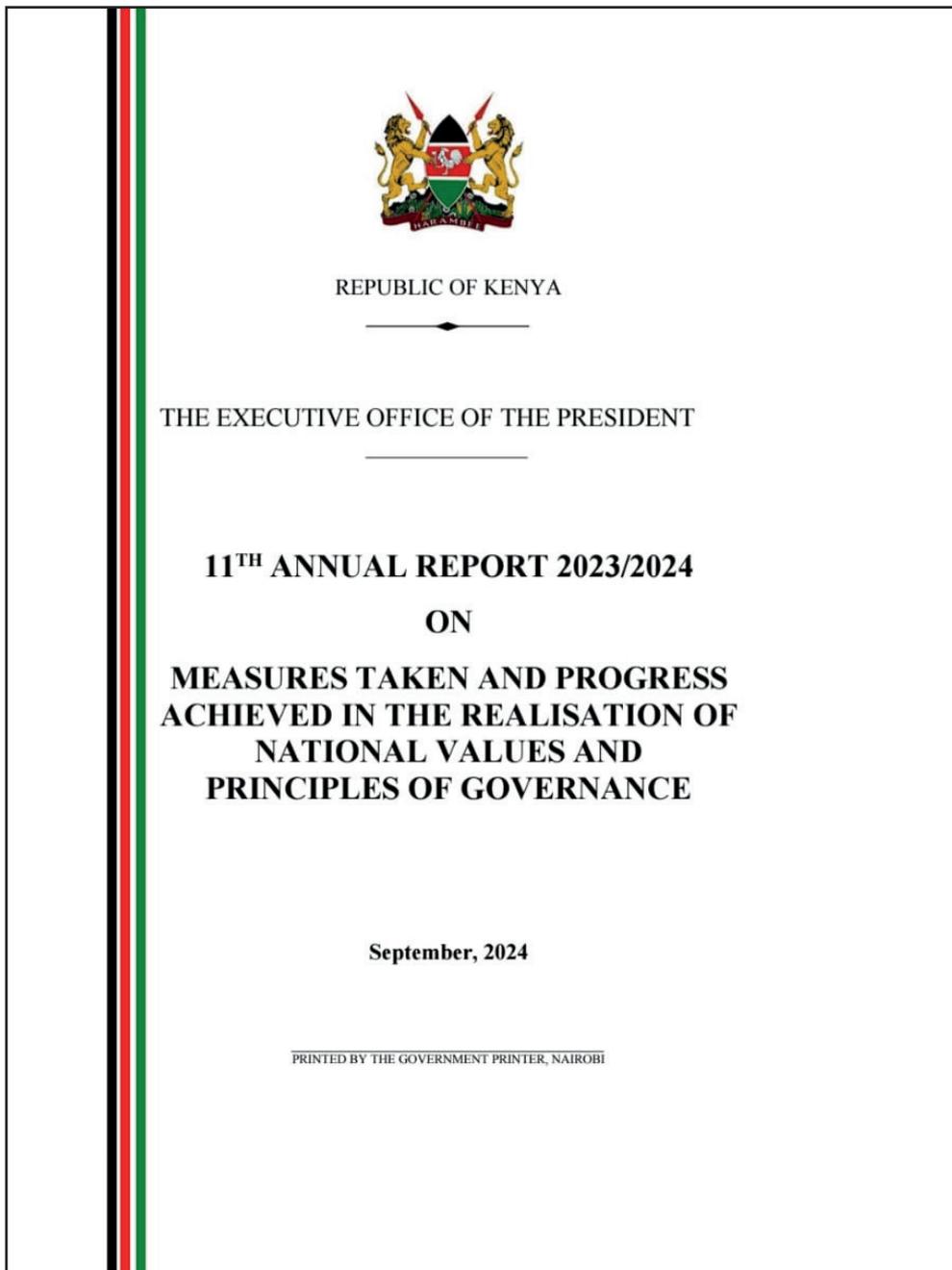
## 2.5 Papers Laid

The purpose of laying documents is to formally make the information in the document available to the House and its Members, and to the public. Government bodies are obligated to submit their annual reports and audited accounts for laying on the Table of the House, to enforce accountability of public undertakings.

One thousand eight hundred and sixty-eight (1868) Papers were laid on the Table of the House, out of which one-thousand six hundred and thirty-three (1,633) were laid by the Leader of the Majority Party. The Papers included-

- (i) Reports of the Auditor-General and Financial Statements of public entities;
- (ii) Reports by Independent Offices and constitutional Commissions;
- (iii) Statutory Instruments;
- (iv) Sessional Papers;
- (v) Reports by the President under Article 132 of the Constitution.

Additionally, two-hundred and thirty-five (235) Papers were Laid on the Table of the House by Chairpersons of Committees, Leaders of Delegations and Parliamentary Caucuses and two (2) Papers by Members in substantiation of claims made during debate.



*Figure 8 - Report on Measures taken and Progress Achieved in the Realisation of National Values and Principles of Governance. Submitted pursuant to the provisions of Article 132(1) of the Constitution.*

## 2.6 Statutory Instruments

A Statutory Instrument is any rule, order, regulation, direction, form, tariff of costs or fees, letters patent, commission, warrant, proclamation, by-law, resolution, guideline or other statutory instruments 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 authorized to be issued.

During the Session, the National Assembly received one hundred and seven (107) Statutory Instruments. As at the end of the Session, the National Assembly had approved seventy-two (72) Statutory Instruments, of which seventy-one (71) were acceded to through the Committee on Delegated Legislation while one (1), The Public Finance Management (Kenya Millennium Development Fund) Regulations) was considered and approved in the House on 24<sup>th</sup> April 2024. Thirty-five (35) Statutory Instruments were under consideration.

The detailed Statutory Instruments tracker can be accessed through: <https://tinyurl.com/yjc55wn5>.

## 2.7 Sessional Papers

Sessional Papers are precursors to substantive legislation or Government Policy positions. They are prepared by Government Ministries and Departments outlining policy options and courses of action on thematic areas. Sessional Papers require the approval of the House before implementation. The following Sessional Papers were submitted to the House for consideration –

- (i) **Sessional Paper No. 3 of 2023** on the Kenya Policy on Public Participation. The main objective of the policy is to set standards for effective public participation and provide an overarching framework for the coordination of public participation in Kenya;
- (ii) **Sessional Paper No. 3 of 2024** on the Power of Mercy Policy Framework. The policy framework seeks to actualize Article 133 of the Constitution and align with all existing statutes;
- (iii) **Sessional Paper No. 4 of 2024** on the National Alternative Dispute Resolution Policy which seeks to actualize the provisions of the Constitution on access to justice and to provide a framework for alternative dispute resolution mechanisms in Kenya;
- (iv) **Sessional Paper No. 6 of 2024** on the National Aviation Policy. The policy aims to enable the national aviation industry to strengthen its position in the global market by developing aviation infrastructure, maintaining safety, supporting aviation training institutions, amongst others; and
- (v) **Sessional Paper No. 7 of 2024** on National Sanitation Management Policy from Ministry of Water, Sanitation and Irrigation.

As at the end of the Session, the Sessional Papers were under consideration before the respective Departmental Committees.

## 2.8 Motions

In accordance with the principles of parliamentary practice, the House conducts its business through Motions. A Motion is a formal proposal put forward by a Member of Parliament, a Committee, a parliamentary party for deliberation by the House to take certain actions or make specified resolutions. Motions may be categorized as –

- (i) Procedural Motions;
- (ii) Special Motions;
- (iii) Substantive Motions; and
- (iv) Motions for Adjournment of the House.

During the Session, two hundred and twelve Motions (212) were introduced in the House. Out of this, the House passed one hundred and fifty-seven (160) Motions and rejected six (7) Motions regarding consideration of Senate amendments to National Assembly Bills and one (1) individual Member Motion. Additionally, the House debated six (6) Adjournment Motions. Thirty-eight (38) Motions were awaiting debate at the end of the Session. A detailed list of the Motions is provided in the Motions Tracker on <https://tinyurl.com/pm2mn6tm>.

The House considered the following categories of Motions –

### 2.8.1 Procedural Motions

These are Motions introduced and passed in the House in accordance with its Standing Orders mainly to regulate the internal conduct of legislative business. By practice, the House passes these Motions at the beginning of every Session to impose limitation of time in respect of debate on Bills, Sessional Papers, Committee Reports and Address by the President. Procedural Motions may also be introduced in the course of a Session or a sitting to afford the House convenience to transact business with ease.

During the Session, forty-six (46) Procedural Motions were considered and passed in the House as follows-

S/No.	Subject	Number
(1)	Exemption of business from the provisions of the Standing Orders	11
(2)	Extension of period for consideration of business with timelines	3
(3)	Extension of sitting time	3
(4)	Limitation of debate	13
(5)	Reduction of publication period of a Bill	7
(6)	Resolution to hold a sitting at a different time	8
(7)	Suspension of a sitting	1
	<b>Total</b>	<b>46</b>

*Table 2. 7 – Categories of Procedural Motions in the Session*

### 2.8.2 Special Motions

During the Session, the House considered twenty (20) Special Motions in the following categories –

- (a) appointment of persons to public and state offices in line with the Constitution and the Public Appointments (Parliamentary Approval) Act, Cap. 7F or other statutes;
- (b) removal or dismissal of persons from state and public offices;
- (c) deployment of the Kenya Defence Forces in accordance with Article 241 of the Constitution.

With regards to Special Motions on approval of nomination of persons to public and state offices, the House considered eight (8) Special Motions and –

**(a) approved** eighty-five (85) nominees as follows –

- (i) Twenty-eight (28) High Commissioners, Ambassadors, Permanent Representatives, and Consuls-General;
- (ii) Twenty-two (22) Cabinet Secretaries;
- (iii) Director-General for Health;
- (iv) Attorney-General;
- (v) Two (2) persons to the National Gender and Equality Commission;
- (vi) Eight (8) persons to the Independent Policing Oversight Authority Board;
- (vii) Three (3) persons to the Commission on Administrative Justice;
- (viii) Deputy-Governor of the Central Bank of Kenya;
- (ix) Director-General of the Competition Authority;
- (x) Parliamentary Service Commissioner.
- (xi) Secretary / Chief Executive Officer to the Ethics and Anti-Corruption Commission;
- (xii) Seven (7) persons to the Salaries and Remuneration Commission;
- (xiii) Eight (8) persons to the Public Service Commission; and
- (xiv) Three (3) persons as Ambassador, Permanent Representative and Consul-General.

**(b) rejected** two (2) nominees to the offices of Consul-General and Cabinet Secretary.

With regard to removal or dismissal of persons from state and public offices, the House considered the following two (2) Special Motions on –

- (i) The proposed dismissal of the Hon. Franklin Mithika Linturi from the office of Cabinet secretary for the Ministry of Agriculture and Livestock Development; and
- (ii) Removal from Office by Impeachment of H.E. Rigathi Gachagua as the Deputy President of the Republic of Kenya.

Additionally, the House also considered and approved a Special Motion on the deployment of the Kenya Defence Forces to various parts of the country in line with Article 241 of the Constitution on 26<sup>th</sup> June 2024.

### 2.8.3 Substantive Motions

Substantive Motions are stand-alone proposals seeking the House to decide or resolve on a matter. During the Session, one hundred and forty (140) Motions were introduced of which ninety-two (92) were motions by committees, nineteen (19) were by individual Members and four (4) by delegations.

The subject matters in the motions by individual Member included policy on IT that uses satellites to monitor and forecast climate conditions to tackle climate change; establishment of a science museum; establishment of a priority boarding protocol for the Kenya Defence Forces by local airlines; cash transfer programmes for caregivers of PWD; and access to mental health care facilities in sub counties.

### 2.8.4 Motions for adjournment on definite matter of urgent national importance

These are Motions moved by a Member upon obtaining the leave of the House to interrupt the normal business on a given sitting day to allow for a discussion of definite matters of urgent national importance. During the period under review, adjournment Motions introduced in the House centered around issues related to cases of femicide, competency-based curriculum, health, insecurity, road accidents and flooding in the country. Six (6) Motions for adjournment of the House were debated on various matters as follows –

- (i) The cases of femicide in the country by Member for Nairobi County (Hon. Esther Passaris);
- (ii) Cases of insecurity in Laikipia County by Member for Laikipia (Hon. Sarah Korere);
- (iii) Surge of road accidents in the country by Member for Matungu (Hon. Peter Oscar Nabulindo);
- (iv) Floods and other attendant inconveniences related thereto as experienced in the country by Member for Kipkelion East (Hon. Joseph Cherorot);
- (v) The transition of competency-based curriculum (CBC) students from grade eight to grade nine in January 2025 by the Member for Kathiani (Hon. Robert Mbui); and
- (vi) the implementation of the Social Health Insurance Fund (SHIF) by the Member for Rangwe (Hon. (Dr.) Lilian Gogo).



*Figure 9 - Nairobi County Woman Representative, Hon. Esther Passaris, MP moving an adjournment Motion on the rise in cases of femicide in the country on Wednesday, 14<sup>th</sup> February 2024*

## 2.9 Parliamentary Questions

A Parliamentary Question is an oversight tool put formally to a Government Ministry or Independent Constitutional Commissions or/and other Institutions by Members. A Parliamentary Question enables a Member to seek information, report or press for action with a view to enhancing accountability. Parliamentary Questions are categorised as ordinary questions which are responded to within seven (7) days or

Questions by Private Notice which are to be responded to within forty-eight (48) hours due to the urgency of the issues being raised.

During the Session, one hundred and seventy-five (175) Questions were submitted out of which one hundred and fifty-nine (159) were Ordinary Questions and sixteen (16) were by Private Notice. Out of one hundred and fifty-nine (159) Ordinary Questions, eight (8) were directed to the constitutional commissions and independent offices for reply before Departmental Committees.

Seventy-five (75) Questions were responded to by various Cabinet Secretaries during Question Time in plenary and eleven (11) Questions were responded to through written responses.

The summary below provides the Questions asked in the House, as well as those that have been processed for response by respective Cabinet Secretaries –

Type of Question	No. of Questions	Responded to	Deferred
Question by Private Notice	16	11	nil
Questions to Independent Commissions	8	nil	nil
Ordinary Questions	151	75	14
<b>Total</b>	<b>175</b>	<b>86</b>	<b>14</b>

*Table 2. 8 - Questions processed in the Session*

A detailed Questions tracker can be accessed through <https://tinyurl.com/y3ux8hxp>.



*Figure 10 - The Cabinet Secretary for the Ministry of Health, Ms. Susan Nakhumicha, EGH, appearing before the National Assembly to respond to Questions on Wednesday, 17<sup>th</sup> April 2024*

## 2.10 Statements

A Statement is a brief request or pronouncement presented to the House by a Member to convey or seek information on a particular matter. Statements to Committees are tools for legislative oversight of the House over the Executive on matters of concern within the mandate of a committee. Three hundred and five (305) Statements were made as follows –

### 2.10.1 General Statements

A General Statement is raised by a Member pursuant to Standing Order 43 relating to issues of topical concern. Members made twenty-five (25) General Statements on various issues as follows –

- (i) Demise of the World Marathon record holder Mr. Kelvin Kiptum by Member for Elgeyo Marakwet County (Hon. Caroline Ng'elechei);
- (ii) The 2024 International Women's Day by Member for Kajiado County (Hon. Leah Sankaire);
- (iii) Alleged abduction of a Mr. Sammy Ekitela in Turkana Central Constituency by Member for Turkana Central (Hon. Joseph Namuar);
- (iv) Invitation to Members to the commemoration of the 20th Anniversary of establishment of the NG-CDF by the Chairperson, NG-CDF Committee;
- (v) The proposed Fuel Levy allocation to KeRRA for FY 2023/2024 by the Chairperson, Departmental Committee on Transport, and Infrastructure;
- (vi) Commemoration of the Pan-African Women's Day 2024 by Member for Nairobi County (Hon. Esther Passaris); and
- (vii) The 2024 Kenya Young Parliamentarians Association Bunge Youth Dialogue by Chairperson, Kenya Young Parliamentarians Association by Member for Mayatta (Hon. Mukunji Gitonga).

### 2.10.2 Statements by the House Business Committee

These are Statements made pursuant to Standing Order 44(2)(a) by a designated Member of the HBC on the business of the House. During the Session, twenty-seven (27) Statements by the House Business Committee were made.

### 2.10.3 Statements by Parliamentary Party Leaders and Chairpersons of Committees

These are made pursuant to Standing Order 44(2)(b) regarding their responsibilities in the House or the activities of a Committee. During the Session, eleven (11) Statements were made by Chairpersons of Committees.

During the Session, Chairpersons of Committees made statements on various topical issues including –

- (i) The Chairperson, Select Committee on National Governments Constituencies Development Fund issued a statement regarding the status of disbursement of National Governments Constituencies Development Funds on 14<sup>th</sup> February 2024;
- (ii) The Chairperson, Departmental Committee on Transport and Infrastructure issued a statement regarding proposed fuel levy allocation to KeRRA for the financial year 2023/2024 on 4<sup>th</sup> June 2024; and
- (iii) The Chairperson, Departmental Committee on Health issued a statement regarding roll-out of the Universal Health Coverage on 1<sup>st</sup> October 2024.

### 2.10.4 Request for Statement

These are Statements sought by Members relating to issues that fall under the mandate of Committees. Members requested two-hundred and fifty-one (251) Statements which were directed to various Committees. By the end of the Session, one hundred and thirty-one (131) Statements had been responded to.

Notably, while the Statement by the Member for Samburu West (Hon. Naisula Lesuuda) regarding the challenges facing the Higher Education Funding Model was responded to, Members raised concerns that the response did not adequately address issues raised in the Statement. Consequently, the Speaker convened a Members' Kamukunji on 20<sup>th</sup> August 2024 to discuss the matter with the Principal Secretary for Higher Education and Research (Dr. Beatrice Inyangala, PhD). Further, the Cabinet Secretary for the Ministry of Education (Mr. Julius Ogamba, EBS) addressed the issue in the Plenary Sitting of 18<sup>th</sup> September 2024 during Question Time.

### 2.10.5 Personal Statements

Personal Statements are made by Members pursuant to Standing Order 44(2)(e) on a matter of a personal nature. There was one (1) personal Statement during the Session by the Member for Navakholo, the Hon. Emmanuel Wangwe, MP regarding the demise of his mother.

The detailed list of Statements can be accessed through <https://tinyurl.com/j3nv5jp7>.

### 2.11 Bills

A Bill is a proposed law published for introduction in a House of Parliament that seeks to either introduce new legislation or to amend or repeal an existing law. A Bill may be introduced by the Leader of the Majority Party, Leader of the Minority Party, Committees of the House, a parliamentary party or by an individual Member. During the Session, forty-nine (49) Bills were introduced in the House some of which were considered by both Houses in line with the Constitution. The following twenty (20) Bills were passed and assented to –

S/No.	Bill	Date of Assent
(1)	The County Governments Additional Allocations Bill (National Assembly Bill No. 23 of 2023)	04/03/2024
(2)	The Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No. 68 of 2023)	24/04/2024
(3)	The National Government Administration Laws (Amendment) Bill (National Assembly Bill No. 74 of 2023)	02/05/2024
(4)	The Affordable Housing Bill (National Assembly Bill No. 75 of 2023)	19/03/2024
(5)	The Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024)	09/07/2024

S/No.	Bill	Date of Assent
(6)	The Division of Revenue Bill (National Assembly Bill No. 14 of 2024)	10/06/2024
(7)	The Supplementary Appropriation Bill (National Assembly Bill No. 32 of 2024)	10/06/2024
(8)	The Appropriation Bill (National Assembly Bill No. 33 of 2024)	28/06/2024
(9)	The Supplementary Appropriation (No.2) Bill (National Assembly Bill No. 39 of 2024)	05/08/2024
(10)	The Sugar Bill (National Assembly Bill No. 34 of 2022)	1/11/2024
(11)	The Water (Amendment) Bill (National Assembly Bill No. 33 of 2023)	4/12/2024
(12)	The Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024)	4/12/2024
(13)	The National Rating Bill (National assembly Bill No. 55 of 2022)	4/12/2024
(14)	The Statutory Instruments (Amendment) Bill (National Assembly Bill No. 2 of 2023)	11/12/2024
(15)	The Ethics and Anti-Corruption Commission (Amendment) Bill (National Assembly Bill No. 11 of 2024)	11/12/2024
(16)	The Kenya Roads Board (Amendment) Bill (National Assembly Bill No. 18 of 2024)	11/12/2024
(17)	The Kenya Revenue Authority (Amendment) (No.2) Bill (National Assembly Bill No. 35 of 2024)	11/12/2024
(18)	The Tax Procedures (Amendment) (No.2) Bill (National Assembly Bill No. 46 of 2024)	11/12/2024
(19)	The Tax Laws (Amendment) Bill (National Assembly Bill No. 47 of 2024)	11/12/2024
(20)	The Business Laws (Amendment) Bill (National Assembly Bill No. 49 of 2024)	11/12/2024

*Table 2.9 - Bills assented to in the Session*

Below are highlights of selected Bills considered in the Session:

**(i) The National Government Administration Laws (Amendment) Bill (National Assembly Bill No. 73 of 2023)**

The National Government Administration Laws (Amendment) Bill (National Assembly Bill No. 73 of 2023) was considered by the House and passed on 16<sup>th</sup> April 2024. The Bill established the Offices of Chief Administrative Secretary and the Head of Public Service in statute as offices in the public service.

During debate on the Bill, the House noted provisions that did not meet constitutional test and lacked proper justification, including a proposed amendment to the Office of the Attorney-General Act, Cap 6A to move the

custody of the Common Seal from the Office of the Attorney-General to the Office of the Head of Public Service. The House deleted the amendments, noting that no sufficient justification was given for the proposal.

**(ii) The Finance Bill (National Assembly Bill No. 30 of 2024)**

The Finance Bill (National Assembly Bill No. 30 of 2024) sought to amend the Income Tax Act, Cap 470, the Value Added Tax, Cap 469B and the Miscellaneous Fees and Levies Act, Cap 496C to address key fiscal challenges. The Bill, which was passed by the National Assembly on 25<sup>th</sup> June 2024, contained clauses on different tax measures to enhance the domestic resources to further improve and cure gaps in the taxation regulatory framework. However, the President referred the Bill with reservations, pursuant to Article 115(1)(b) of the Constitution, for reconsideration. The President's reservations recommended deletion of all clauses of the Bill. Subsequently, the House considered and passed the President's reservations on 25<sup>th</sup> July 2024, and the Bill was lost.

**(iii) The Affordable Housing Bill (National Assembly Bill No. 75 of 2023)**

The Affordable Housing Bill (National Assembly Bill No. 75 of 2023) which was considered and passed by the two Houses of Parliament sought to provide a framework for development and access to affordable housing through collection of the housing levy. The enactment of the Bill paved way for the implementation of the Affordable Housing Programme to Kenyans. The Bill was passed by the House on 22<sup>nd</sup> February 2024 and forwarded to the Senate for consideration. The Senate thereafter considered and passed the Bill, with amendments. On 14<sup>th</sup> March 2024, the House considered and approved the Senate amendments to the Bill, concluding the bicameral process. The Bill was assented to on 19<sup>th</sup> March 2024. Public hearings on the Affordable Housing Bill, 2023 led by the Committee on Housing and Public Works at the Ronald Ngala Primary School Social Hall in Mombasa County held on 30<sup>th</sup> January 2024.

**(iv) The Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024)**

The House considered and passed the Independent Electoral and Boundaries Commission (Amendment) Bill, 2024 which was as a result of the recommendations and views of the public during the national dialogue discourse on the issues of electoral justice. The passage of the Bill increased the number of members of the Selection Panel from seven to nine members. The Bill was assented to on 9<sup>th</sup> July 2024.

**(v) The Tax Laws (Amendment) Bill (National Assembly Bill No. 47 of 2024)**

The Tax Laws (Amendment) Bill (National Assembly Bill No. 47 of 2024) was considered and passed by the House on 4<sup>th</sup> December 2024, amending the provisions of the law to provide tax reliefs to employees and retirees, enhance benefits to employees and promote the local manufacturing and agricultural sector. The Bill was assented to by the President on 11<sup>th</sup> December 2024.

**(vi) The Business Laws (Amendment) Bill (National Assembly Bill No. 49 of 2024)**

The House considered and passed the Business Laws (Amendment) Bill (National Assembly Bill No. 49 of 2024) on 4th December 2024. The Bill amended business-related Acts of Parliament including the Banking Act, Cap 488, to promote financial stability and protect depositors from systemic risks. The Bill which was assented to on 11<sup>th</sup> December 2024, further enhances consumer protection by enhancing transparency and accountability through an amendment to the Microfinance Act, Cap 493C.

**(vii) The Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024)**

The Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024) was published on 17<sup>th</sup> July 2024 to provide for equitable sharing of shortfall in revenue raised nationally, occasioned by the downward revision of projected ordinary revenue in the financial year 2024/2025, following passage of the President's reservation to delete all clauses to the Finance Bill, 2024. This necessitated the need to review and amend the equitable share of revenue of Kshs.387,425,000,000 to the county governments and Ksh. 2,235,993,000,000 to the National government.

Notably, the Bill was considered and passed by the House on 7<sup>th</sup> August 2024 and thereafter forwarded to the Senate for consideration. The Senate subsequently considered and passed the Bill with amendments, on 3<sup>rd</sup> October 2024. Consequently, the House considered and rejected the Senate amendments to the Bill, which essentially committed the Bill to Mediation in accordance with the provisions of Articles 112(2)(b) and 113 of the Constitution. The House thereafter considered and approved the mediated version of the Bill, concluding the bicameral consideration. The Bill was assented to on 4<sup>th</sup> December 2024.

**2.11.1 Bills from the Senate**

During the Session, the National Assembly received twenty-one (21) Bills from the Senate out of which ten (10) were considered. The House passed and referred seven (7) Bills to the Senate for reconsideration while three (3) Bills were undergoing mediation as at the end of the Session as listed in the tables below –

S/No.	Bill	Date of Assent
(1)	The County Licensing (Uniform Procedures) Bill (Senate Bill No. 9 of 2022)	2/05/2024
(2)	The Equalisation Fund Appropriation (No.2) Bill (Senate Bill No. 30 of 2023)	19/06/2024
(3)	The County Governments Additional Allocations Bill (Senate Bill No. 19 of 2024)	20/08/2024
(4)	The Coffee Bill (Senate Bill No. 10 of 2023)	2/12/2024

S/No.	Bill	Date of Assent
(5)	The County Allocation of Revenue Bill (Senate Bill No. 25 of 2024)	05/12/2024
(6)	The Startup Bill (Senate Bill No. 14 of 2022)	16/01/2025
(7)	The Persons with Disabilities Bill (Senate Bill No. 7 of 2023)	16/01/2025

*Table 2. 10 - Senate Bills passed by the National Assembly*

### **The County Allocation of Revenue Bill (Senate Bill No. 25 of 2024)**

The County Allocation of Revenue Bill (Senate Bill No. 25 of 2024) was passed by the Senate on 11<sup>th</sup> June 2024 and sought to provide for the equitable allocation of revenue raised nationally among county governments for the Financial Year 2024/2025. The Bill proposed a distribution of Kes. 400 billion as equitable share among county governments. Upon passage by the Senate, the Bill was referred to the National Assembly for consideration on 18<sup>th</sup> June 2024 and was passed on 25<sup>th</sup> June 2024. Thereafter, the Bill was forwarded to H.E. the President for assent.

On 10<sup>th</sup> July 2024, H.E. the President referred the Bill back to Parliament for reconsideration. In the reservations, H.E. the President proposed a reduction of the equitable share of revenue for the Financial Year 2024/2025 by Kes. 20 Billion. The reduction was necessitated by the revenue shortfall following the non-assent of the Finance Bill, 2024.

To accommodate the revenue shortfall, the Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024) was published on 17<sup>th</sup> July 2024 seeking to provide for equitable sharing of revenue raised nationally. The Bill took into account the downward revision of projected ordinary revenue in the Financial Year 2024/2025. The Bill was considered by both Houses of Parliament and a mediated version was passed, allocating 387 billion as equitable share of revenue to the county government for the financial year 2024/2025 from the earlier approved Kes. 400 billion. The Bill was subsequently assented to by the President on 4<sup>th</sup> December 2024.

Notably, the passage and assent of the Division of Revenue (Amendment) Bill, 2024 with an overall allocation of Kes.387, came after the referral of the County Allocation of Revenue Bill, 2024 with the recommendation by the President that the shareable revenue be reduced to Kes.380 billion. It is on this basis that in considering the County Allocation of Revenue Bill, 2024, the National Assembly approved the amendments made by the Senate allocating Kes.387 billion as equitable share of revenue as opposed to the Kes.380 recommended by the President. In approving the Senate amendments to the Bill, the National Assembly considered the revision as fully accommodating the President's and therefore not requiring a fixed majority under Article 115 of the Constitution. This was premised on the fact that the President had already assent to the Division of Revenue (Amendment) Bill, 2024 which allocated the Kes. 387 billion shareable amount.

## Senate Bills undergoing Mediation

The following three (3) Senate Bills were undergoing mediation as at the end of the Session –

S/No.	Senate Bill	Remarks
(1)	The Natural Resources (Benefit Sharing) Bill (Senate Bill No. 6 of 2022)	Bill rejected by the National Assembly on 12 <sup>th</sup> March 2024 during Second Reading
(2)	The Employment (Amendment) Bill (Senate Bill No. 11 of 2022)	Bill rejected by the National Assembly on 5 <sup>th</sup> March 2024 during Second Reading
(3)	The Mung Beans Bill (Senate Bill No. 13 of 2022)	Bill rejected by the National Assembly on 24 <sup>th</sup> September 2024 during Second Reading

*Table 2. 11 - Senate Bills undergoing Mediation as at the end of the Session*

### Bills under consideration

The following eleven (11) Bills from the Senate were under consideration by the National Assembly at the end of the Session –

S/No.	Senate Bill
(1)	The Care and Protection of Child Parents Bill (Senate Bill No. 29 of 2023)
(2)	The Agricultural and Livestock Extension Services Bill (Senate Bill No. 12 of 2022)
(3)	The Kenyan Sign Language Bill (Senate Bill No. 9 of 2023)
(4)	The Prevention of Livestock and Produce Theft Bill (Senate Bill No. 12 of 2023)
(5)	The Parliamentary Powers and Privileges Bill (Senate Bill No. 37 of 2023)
(6)	The County Boundaries Bill (Senate Bill No. 6 of 2023)
(7)	The County Governments (Amendment) Bill (Senate Bill No. 25 of 2023)
(8)	The Tea (Amendment) Bill (Senate Bill No. 1 of 2023)
(9)	The Maternal, Newborn and Child Health Bill (Senate Bill No. 17 of 2023)
(10)	The Meteorology Bill (Senate Bill No. 45 of 2023)
(11)	The Election Offences (Amendment) Bill (No.2) Bill (Senate Bill No. 28 of 2024)

*Table 2. 12 - Senate Bills undergoing consideration as at the end of the session*

### 2.11.2 Legislative Proposals to amend the Constitution

The Member for Ainabkoi (Hon. Samuel Chepkong’ a) and the Member for Rarieda, the Hon. (Dr.) Otiende Amollo) co-sponsored a legislative proposal seeking to amend the Constitution to entrench the National Government Constituencies Decentralized Development Fund, the Senate Oversight Fund, and the National Government Affirmative Action Fund in the Constitution. The procedure for amending the Constitution through parliamentary initiative is provided for under Article 256 of the Constitution.

The Speaker approved pre-publication scrutiny of the legislative proposal and on 5th December 2024, allowed the co-sponsors to make a statement on the objectives of the proposal. Members also deliberated on the proposal in line with Standing Order 114A. The National Assembly Legislative Caucus reviewed the proposal and recommended entrenchment of the following funds in the Constitution –

1. **The National-Government Constituencies Development Fund (NG-CDF)** to ensure that the critical role that the Fund currently plays in promoting the participation of the people in identification and implementation of priority national Government programmes is safeguarded, as well as ensuring reasonable access to such services in all parts of the country as envisaged in Article 6(3) of the Constitution;
2. **The Senate Oversight Fund** to ensure that the Senate is adequately empowered and resourced to perform its oversight functions, as stipulated in Article 96 of the Constitution; and
3. **The National Government Affirmative Action Fund (NGAAF)** to ensure that affirmative action groups, including women, youth, persons with disabilities, vulnerable children and elderly persons, have access to minimum financial facilities required for the promotion of enterprise development and provision of social development services at the constituency and county levels.

### **Legal challenges that the Fund has faced over time**

The Constituencies Development Fund (CDF) was first established under the Constituencies Development Fund Act of 2003 and later replaced by the Constituencies Development Fund Act of 2013. Over the years, the CDF has evolved into a critical mechanism for addressing the development needs of the constituencies.

In Petition No. 71 of 2013, *Institute of Social Accountability & Another v. National Assembly & 4 Others*, the High Court, in its judgement delivered on 20<sup>th</sup> February 2015, declared the Constituencies Development Fund Act of 2013 unconstitutional. The Court held that the CDF Act, 2013 violated key constitutional principles, including the separation of powers, division of functions and public finance principles. In its ruling, the Court suspended the declaration of invalidity for 12 months to allow Parliament to enact remedial legislation or wind up ongoing projects under the legislation. The National Assembly and the NG-CDF Board appealed against the judgement in the Civil Appeal No. 92 of 2015. The Court of Appeal ruled that the Constituencies Development Fund Act, 2013 is unconstitutional in its entirety and invalid violating the principle of separation of powers.

Following the hearing of the appeal, the matter was brought before the Supreme Court. In its judgement delivered on 8<sup>th</sup> August 2022, in Petition No.1 of 2018, the Supreme Court upheld the High Court decision affirming that the CDF Act 2013 was unconstitutional. The Supreme Court held that a constituency is an electoral unit of representation and not a service delivery unit.

Pursuant to the High Court's judgement in Petition No. 71 of 2013, the National Assembly enacted the NG-CDF Act of 2015 to address the issues raised and align

the Fund with the constitutional framework.

Despite the efforts to align the Act with the Constitution, the NG-CDF Act of 2015 faced a fresh legal challenge in the High Court in Constitutional Petition No. 178 of 2016, *Wanjiru Gikonyo v. National Assembly & Others*. The High Court delivered its judgement on 20<sup>th</sup> September 2024, declaring the NG-CDF Act of 2015 unconstitutional, together with the amendments made in 2022 and 2023. The High Court reiterated the decision delivered by the Supreme Court on CDF Act, 2013. Additionally, the High Court ruled that the Act violates the principle of separation of powers by assigning executive functions to Members of Parliament whose primary constitutional role is legislation.

It is on this basis that the Hon. Samuel Chepkong'a and Hon. (Dr.) Otiende Amollo were proposing amendment to the Constitution to entrench the three (3) aforementioned funds.

## 2.12 Treaties, Protocols, Conventions and Agreements

Treaties, Protocols and Conventions require parliamentary approval before formal ratification. During the Session, four (4) agreements were submitted to the House out of which the following two (2) were approved-

- (i) **The Economic Partnership Agreement between the European Union and the Republic of Kenya** aimed to boost bilateral trade in goods and investment flows and contribute to sustainable growth between the European Union and Kenya; and
- (ii) **The Agreement on the Establishment of the Global Green Growth Institute (GGGI)**. The GGGI is a treaty-based international organization, whose mandate is to facilitate a global transition towards a model of green growth including solar energy, green buildings and sustainable transport.

Further, the House approved the following Agreement and two (2) Conventions which had been presented in the previous sessions-

- (i) **The Agreement on the Establishment of the International Vaccine Institute (IVI)**: The IVI is a non-profit international organisation dedicated to vaccines and vaccination for global health. It focuses on vaccines against infectious diseases and aims at making vaccines available and accessible to vulnerable populations in developing countries; and
- (ii) **The African Convention on Cross Border Cooperation (Niamey Convention)**: The convention provides a legal framework to promote cross-border cooperation and peaceful resolutions of border disputes by encouraging joint activities between neighbouring countries; and
- (iii) **The Multilateral Convention to Implement tax treaty related Measures to prevent base erosion and profit shifting**: The convention calls for the development of a comprehensive multilateral instrument to modify existing bilateral agreements for avoidance of double taxation.

## CHAPTER 3 - HIGHLIGHT OF ACTIVITIES BY DIRECTORATES AND DEPARTMENTS IN THE NATIONAL ASSEMBLY

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### 3.1 Introduction

The administration of performance of the mandate of the National Assembly is carried out by the Office of the Clerk of the House as established in Article 128 of the Constitution. The Clerk ensures that the programmes, facilities and services necessary for the achievement of the mandate of the National Assembly are provided to Members of Parliament effectively and efficiently. These include legal and procedural advice, secretariat services, fiscal and budget-making advisory, office facilities, security and hospitality. In this regard and to streamline the operations of the National Assembly service, the Parliamentary Service Commission (PSC) has established Directorates and Departments within the office of the Clerk of the House with specified and segregated mandates.

There are nine (9) Directorates and one (1) Department that render services to the National Assembly. During the Third Session, various Directorates undertook activities as follows –

### 3.2 THE DIRECTORATE OF SPEAKER'S OFFICE

The Directorate facilitated the work of the Speaker of the National Assembly in fulfilling the constitutional and statutory mandate as the head of legislative arm of the Government, the presiding officer of the House, and as the Chairperson of the Parliamentary Service Commission. Additionally, the Directorate incorporates the Office of the Deputy Speaker and the House Leadership offices. The Directorate consists of the Department of Public Communications and the Department of Media Relations.

Key areas of focus during the Session included improving legislative service delivery, fostering public trust, and enhancing Parliamentary diplomacy. During the period under review, the Office contributed to various outreach programs, policy initiatives, and international collaborations. Below is a summary of the notable engagements, activities, and accomplishments during the period under review –

#### 3.2.1 Parliamentary Diplomacy

During the Session, the Directorate facilitated the Speaker to hold various diplomatic engagements to strengthen Kenya's bilateral relations, advocate for economic opportunities, and share best practices. Some of the key engagements included the following courtesy calls and diplomatic meetings –

- (i) Meeting with the President of the Pan African Parliament, H.E. Chief Fortune Zephania Charumbira on 24<sup>th</sup> February 2024;
- (ii) Visit by a delegation of the Canadian House of Commons led by the Speaker Hon. Greg Fergus aimed at fostering parliamentary collaboration on Tuesday, 2<sup>nd</sup> April 2024;
- (iii) Meeting with H.E. Henriette Geiger, Ambassador of the European Union (EU) to Kenya on 16<sup>th</sup> April 2024;

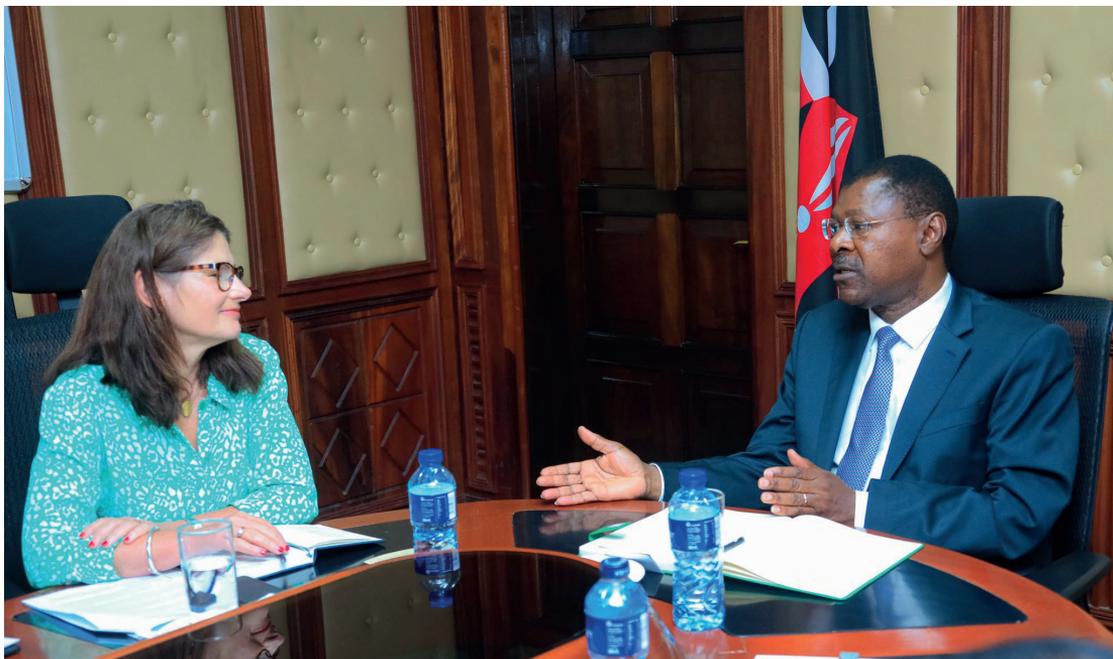


Figure 11 - The Rt. Hon. (Dr.) Moses Wetang'ula, Speaker of the National Assembly with H.E. Henriette Geiger, Ambassador of the European Union (EU) to Kenya, during her courtesy visit to the Speaker on Tuesday, 16<sup>th</sup> April 2024

- (iv) Meeting with the Ambassador of the Islamic Republic of Iran to Kenya, H.E. Ali Gholampour on 12<sup>th</sup> August 2024;
- (v) Courtesy call by the Vice Chancellor, Daystar University, Prof. Laban Ayiro on 18<sup>th</sup> September 2024;
- (vi) Courtesy call by the incoming Country Director of Konrad Adenauer Stiftung, Mr. Mathias Kamp on 19<sup>th</sup> September 2024; and
- (vii) Meeting with the Italian Minister of Enterprises, H.E. Adolfo Urso on 30<sup>th</sup> September 2024.



Figure 12 - Speaker of the National Assembly, Rt. Hon. (Dr) Moses Wetang'ula (right) shares a light moment with his counterpart, the Speaker of the House of Commons in Canada, Hon. Greg Fergus (left) during a meeting at Parliament Buildings on Tuesday, 2<sup>nd</sup> April 2024

### 3.2.2 Promotion of Effective Governance

During the period under review, the Directorate facilitated participation by the Speaker in the following activities –

- (i) Launch of the State of the Judiciary Report on the 26<sup>th</sup> July 2024;
- (ii) Launch of the Kenya Youth Parliament Association (KYPA) Strategic Plan 2024-2029 on 13<sup>th</sup> June 2024;
- (iii) Inauguration of the Public Procurement Regulatory Authority (PPRA) 2023-2027 Strategic Plan on 19<sup>th</sup> June 2024;
- (iv) Officiating the 8<sup>th</sup> Regional Centre for Mapping of Resources for Development (RCMRD) International Conference held on the 16<sup>th</sup> to 19<sup>th</sup> June 2024;
- (v) Keynote address at the Law Society of Kenya (LSK) Annual Conference on the 13<sup>th</sup> August 2024;
- (vi) Keynote address at the Annual Human Rights Summit, 2024 on 11<sup>th</sup> December 2024; and
- (vii) Meeting with the Media Council of Kenya to address media and legislative interactions on 17<sup>th</sup> July 2024.

### 3.2.3 Media Relations

Through its various undertakings, the Media Relations Department contributes toward operationalization of Articles 34 (Freedom of the Media), 35 (Access to Information) and 118 (Public Access and Participation) of the Constitution of Kenya, 2010 as read with the Parliament of Kenya Strategic Plan.

Strategic Pillar III emphasises the need for enhancing Public Trust with objective 11 calling for Parliament, to enhance the involvement of the public in legislation and oversight and objective 13 agitating for the need to enhance parliamentary.

During the Session the Media Relations Department facilitated the National Assembly through:

- (1) Publishing the Bunge Weekly newsletter, a publication covering parliamentary activities including plenary, committee, constituency engagements, public engagements and site visits. During the period under review, the Directorate published forty-six (46) editions of the Bunge Weekly.
- (2) Providing media coverage and publicity to House Committees.
- (3) Offering coverage of public participation exercises conducted by Committees including the countrywide public hearing on the Finance Bill, 2024, 2024/2025 Budget Estimates and the Affordable Housing Bill, 2023.
- (4) Facilitating coverage of approval hearings by Committees of the House including approval hearings on persons nominated as Cabinet Secretaries, Ambassadors, High Commissioners, Consuls-General and Permanent Representatives, and other state offices.

**COMMITTEES' ROUND-UP**



Committee on Delegated Legislation briefed on Fisheries Management Regulations ...  
▶ PAGE 4

**PLENARY**

Finance Bill, 2024 passes Second Reading stage... ▶ PAGE 2



**BUNGE MASHINANI**

Kajiado County MP leads groundbreaking for construction of modern market  
.... ▶ PAGE 8

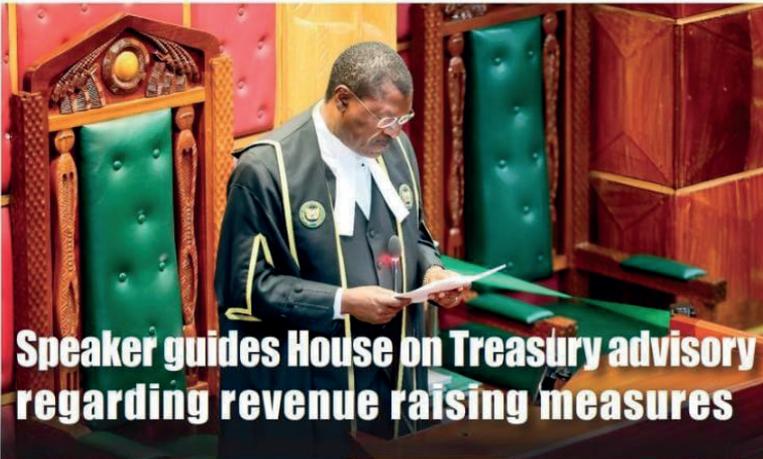


# BUNGE Weekly

Issue No. 061

Monday, June 24<sup>th</sup>, 2024 to Monday, July 1<sup>st</sup>, 2024

PLENARY | COMMITTEES | BUNGE MASHINANI | REPORTS | CLIQUE & CLICK



## Speaker guides House on Treasury advisory regarding revenue raising measures

**S**peaker of the National Assembly, Rt. Hon. (Dr.) Moses Wetang'ula on Thursday, June 20, issued Communication from the Chair on the Advisory from the Cabinet Secretary (CS) for the National Treasury and Economic Planning regarding the measures of Supply and Ways and Means currently being considered by the House.

Leader of the Minority Party, Hon. Opiyo Wandayi (Ugunja) earlier rose on a point of order seeking the Speaker's guidance on the Advisory.

According to Hon. Wandayi the Advisory from the CS was couched in the form of an unprocedural ultimatum to the House directing against amendment of the various revenue-raising measures contained in the Finance Bill, 2024.

He asked that the Advisory to be rejected by the House as unduly anticipating debate on the Finance Bill, 2024 and as an affront to the budget-making mandate of the House.

"The CS is anticipating debate because as far as I am aware, we are still at the stage of debating this Bill," Hon. Wandayi said.

In response to the concerns raised by Hon. Wandayi, Speaker Wetang'ula clarified that the Advisory is a routine procedure used to ensure the House adheres to its constitutional and statutory obligations outlined in Article 114 of the Constitution and the Public Finance Management Act.

"Every year, before the conclusion of the Budget Process, the Office of the Clerk seeks the views of the Cabinet Secretary responsible for Finance on the options available to the House and its Committees to ensure a balance between the measures of Supply and Ways and Means under consideration by the House," explained the Speaker.

He added that the Advisory helps the House maintain a fiscal balance between its spending plans (Supply) and its means of financing those

▶ ON PAGE 3

### National Assembly signs MoU with House Democracy Partnership to strengthen legislative ties

The National Assembly on Wednesday, June 19, 2024 signed a Memorandum of Understanding (MoU) with the House Democracy Partnership (HDP) of the United States House of Representatives.

The agreement signed by Speaker of the National Assembly, Rt. Hon. (Dr.) Moses Wetang'ula and Chairman of the US delegation, Congressman Vern Buchanan is aimed at fostering stronger democratic governance and legislative ties.

The HDP engages with parliaments worldwide to promote democratic values and effective governance. The MoU seeks to enhance cooperation between the

▶ ON PAGE 10



SCAN TO READ E-COPY

Figure 13 - Issue No. 61 of the Bunge Weekly published during the Session



Figure 14 - The Committee on Appointments chaired by the Hon. Speaker, the Rt. Hon. (Dr.) Moses Wetang'ula during the vetting of Ms. Stella Soi Lang'at - Nominee CS, Gender, Culture, The Arts & Heritage on Sunday, 4<sup>th</sup> August 2024

- (5) Offering publicity on Committees and House activities. During the Session, the Directorate published two hundred and fifteen (215) posts on the Parliamentary Website, seven hundred and sixty-eight (768) Facebook posts, and four hundred and fifty-six (456) X/Twitter posts.
- (6) Facilitating media and publicity of Parliamentary Caucuses.
- (7) Organising and facilitating events of the National Assembly including the 17th Meeting of the Bureau of East African Community (EAC) Speakers and the East Africa Legislative Assembly plenary sitting in Nairobi.
- (8) Accrediting ninety-four (94) Parliamentary reporters and journalists and organising three (3) capacity building workshops with members of the Kenya Parliamentary Journalists Association.
- (9) Covering three hundred and twelve (312) press conferences.
- (10) Covering of visits by foreign and local dignitaries.

### 3.2.4 Public Communications

This section highlights key events and services undertaken by the Public Communications Unit during the Session. The main activities included protocol services, outreach and public education, visa services and official reception and events management.

#### (a) Protocol

During the Session, the department provided the following protocol services –

- (i) Provision of Protocol Services in Committees of the National Assembly
- (ii) Facilitating Travel for Members of Parliament including visa acquisition and travel arrangements.
- (iii) Overseeing Venue Protocols and Hospitality
- (iv) Provision of Protocol Services to Foreign Delegations visiting the National

## Assembly

Below are some of the delegations that visited the National Assembly in the period under review:

- (i) Parliament of South Sudan from the 16<sup>th</sup> to 21<sup>st</sup> August 2024.
- (ii) Parliament of Ghana-Parliamentary Training Institute on 6<sup>th</sup> and 12<sup>th</sup> October 2024.
- (iii) National Assembly of Nigeria, Strategic International Parliamentary Learning Tour to Kenya on the Gender Responsive Legal Reforms & Women Affairs Committee from 30<sup>th</sup> September to 3<sup>rd</sup> October 2024.



*Figure 15 - Students from Molo Highway Secondary School during a visit to the National Assembly on Thursday, 24<sup>th</sup> September 2024*

### (b) Outreach and Public Education

In 2024, the department facilitated 223 educational institutions which visited the National Assembly. The institutions which were from 109 constituencies comprised 15,721 students and 1,199 accompanying adults. Two of the visiting groups came from Tanzania (Atlas Madale Primary School, Dar-es-Salaam) and China (Wellington College International, Shanghai).

The department also conducted outreach activities in Lake Kenyatta Primary School in Mpeketoni, Lamu County on the 18<sup>th</sup> and 19<sup>th</sup> July 2024.



*Figure 16 - Staff from the Public Communications Office conducting an outreach programme at Lake Kenyatta Primary School in Lamu County on Friday, 19<sup>th</sup> July 2024*

### **(c) Events Management**

During the year under review, the department participated in the inter-Ministerial committee planning meetings for the Madaraka, Mashujaa and Jamhuri Day Celebrations. The celebrations were marked as follows--

- (i) Madaraka Day celebrations held at Kanduyi Stadium, Bungoma County on 1<sup>st</sup> June 2024.
- (ii) Mashujaa Day celebrations held at the Kwale Stadium in Kwale County on 20<sup>th</sup> October 2024.
- (iii) Jamhuri Day Celebrations held at Uhuru Gardens in Nairobi on the 12<sup>th</sup> December 2024.

### **(d) Parliamentary Ceremonies/Activities**

The Department was involved in the planning and execution of -

- (i) The State of the Nation Address on 21<sup>st</sup> November 2024; and
- (ii) The East Africa Community - Inter-Parliamentary Games held in Mombasa County from 6<sup>th</sup> to 17<sup>th</sup> December 2024.

### 3.3 THE DIRECTORATE OF LEGISLATIVE AND PROCEDURAL SERVICES

During the Session, the Directorate coordinated and facilitated the processing of –

- (a) Forty-nine (49) Bills at various stages in the House;
- (b) Twenty (20) Bills for assent;
- (c) Two hundred and twelve (212) Motions;
- (d) Two hundred and five (205) Petitions;
- (e) One thousand eight hundred and sixty-eight (1,868) Papers Laid;
- (f) Sixty-two (62) Communications from the Chair;
- (g) Thirty-one (31) Recognitions of visiting delegations and institutions;
- (h) one hundred and seventy-five (175) Questions;
- (i) three hundred and twenty-four (324) Statements;
- (j) one hundred and four (104) Messages;
- (k) seven (7) Notifications; and
- (l) Eighteen (18) Parliamentary Caucuses meetings and other activities.

Additionally, the Directorate facilitated the House Business Committee, Procedure and House Rules Committee, the Speaker’s Panel, Committee of Powers and Privileges and the Public Petitions Committee in executing their mandates.

#### 3.3.1 Committees under the Directorate

##### (1) House Business Committee

The Directorate facilitated the House Business Committee to undertake its mandate and deliberate on key issues regarding House business and other issues including the following –

- (a) **Monitoring and overseeing House business and programmes** by preparation of –
  - (i) One hundred and twenty-three (123) Order Papers;
  - (ii) Twenty-nine (29) weekly briefs of proposed business of the House; and
  - (iii) The Calendar of the House; and
  - (iv) Twenty-seven (27) Statements on proposed business of the House.

- (b) **Public Participation Process on the Motion for Removal, by Impeachment, of the Deputy President of Kenya**

The Committee proposed to the House guidelines on the manner of conducting public participation on the Motion for removal, by impeachment, of the Deputy President of Kenya, H.E. Rigathi Gachagua, EGH.

- (c) **Consideration of a nominee for appointment as Deputy President of Kenya**

The Committee proposed to the House guidelines on the manner of voting on the nomination of Prof. Kithure Kindiki, EGH to fill the vacancy in the Office of the Deputy President of Kenya.

- (d) **Coordination of the rehabilitation of the venue for the hosting the 2024 EAC Inter-Parliamentary Games**

The Committee in conjunction with the Cabinet Secretary for the Ministry of Roads and Transport, Cabinet Secretary for Ministry of Sports and the Cabinet Secretary for National Treasury coordinated the rehabilitation of the Mbaraki Sports Club in Mombasa County in readiness to host the 14<sup>th</sup> Edition of the EAC Inter-Parliamentary Games 2024.



Figure 17 - The House Business Committee in session

## (2) Speaker's Panel

The Directorate facilitated (23) sittings of the Speaker's Panel in which it deliberated on administrative and key emerging procedural issues and challenges encountered whilst presiding in the House including the following:-

- (a) Facilitating the Chairperson's Panel to undertake their mandate of presiding in Committee of the Whole House on Bills;
- (b) Providing procedural advice to the Presiding Officers both before and during sitting;
- (c) Preparation of briefs on procedural issues for consideration by the Presiding Officers; and
- (d) Facilitating internal engagement and training sessions to strengthen capacity of Members of the Panel; and
- (e) Briefing the Panel on upcoming House Business.



Figure 18 - The Deputy Speaker, Hon. Gladys Boss, MGH, MP (seated center) with Members of the Speaker's Panel, Hon. Martha Wangari, CBS, MP-First Chairperson (seated left); Hon. (Dr.) Rachael Nyamai, CBS, MP- Sixth Chairperson (seated right); Hon. Omboko Milemba, CBS, MP-third Chairperson (standing right); Hon. George Kaluma, CBS, MP- Fifth Chairperson (standing center); Hon. Farah Maalim, EGH, MP, - Fourth Chairperson (standing left). Not in the photo, Hon. David Ochieng', CBS, MP- Second Chairperson.

### (3) Committee of Powers and Privileges

The Directorate facilitated the Committee of Powers and Privileges to –

- (a) Deliberate on request for information by the Ethics and Anti-Corruption Commission (EACC) on on-going investigation against the alleged unethical conduct of a Member;
- (b) Consider three (3) Bills as follows –
  - (i) The Parliamentary Powers and Privileges (Amendment) Bill (Senate Bill No. 5 of 2022) and tabled a report on 5<sup>th</sup> December 2024;
  - (ii) Parliamentary Powers and Privileges (Amendment) Bill (National Assembly Bill No. 36 of 2022) which lapsed at the end of the Session pursuant to Standing Order 141; and
  - (iii) Parliamentary Powers and Privileges (Amendment) Bill (Senate Bill No. 37 of 2023) which was under consideration as at the end of the Session.

### (4) Procedure and House Rules Committee

The Directorate facilitated the Committee to consider the following Bills which were awaiting consideration by the House at the end of the third session –

- (i) The Petitions to Parliament (Procedure) (Amendment) Bill, 2022 (National Assembly Bill No. 51 of 2022)
- (ii) The Political Parties (Amendment Bill) 2022 (National Assembly Bill No. 35 of 2022); and
- (iii) The Public Finance Management (Amendment) Bill, 2022 (national Assembly Bill No. 38 of 2022).

## (5) Public Petitions Committee

The Directorate facilitated the Committee to –

- (a) Prepare twenty-one (21) briefs on public petitions referred to the Committee to inform the background and the various legal provisions, summary of the Petition and prayers sought by the Petitioner, analysis of the major issues in the petition and stakeholders that the Committee should engage in consideration of the Petition.
- (b) Table twenty-four (24) reports out of which three (3) were referred to the Committee in 2022, twenty (20) were referred in 2023 while one (1) was referred in 2024.
- (c) Undertake six (6) site visits as follows:

S/ No.	Site Visit Inquiry	Petition	Purpose	Date
(1)	Taveta Constituency ( <i>Salaita village</i> )	<b>P/No. 53 of 2023</b> regarding Access to National Parks by Livestock Grazers During Drought by Hon. John Bwire, MP	-Public participation with the herder's community and engagement with other stakeholders including KWS, County Government of Taita Taveta and County Commissioner.  -Observation of the holding grounds (bomas)	Friday, 26 <sup>th</sup> April 2024
(2)	<i>Mombasa-Mariakani Road</i> in Jomvu Constituency	<b>P/No. 33 of 2023</b> regarding Compensation of person affected by Mombasa-Mariakani Road Dualing Project	-Public participation and stakeholder engagement with officials from KENHA and officials from the NLC in a town hall meeting.  -Observation of the completion status of the <i>Mombasa-Mariakani Road</i> Dualling project.	Saturday, 27 <sup>th</sup> April 2024
(3)	<i>Jomvu Kuu-Jitoni-Rabai Road</i> in Mombasa County	<b>P/No. 82 of 2023</b> regarding Delay in Completion of <i>Jitoni-Rabai Road</i> in Jomvu Sub-County	Observation of the status of the <i>Jomvu Kuu Jitoni-Rabai Road</i>  -Public participation and engagement with the community members	Saturday, 27 <sup>th</sup> April 2024

S/ No.	Site Visit Inquiry	Petition	Purpose	Date
(4)	Kidomaya/ Miungoni Village in Vanga Ward in Lungalunga Constituency	<b>P/No. 45 of 2023</b> regarding Delayed Adjudication and Settlement of residents of Kidomaya/ Miungoni Village in Vanga Ward in Lungalunga Constituency	-Public participation and engagement with the community members	Saturday, 27 <sup>th</sup> April 2024
(5)	KENHA Headquarters at Barabara Plaza and Mlolongo Weighbridge in Machakos County	<b>P/No. 23 of 2023</b> regarding Punitive charges levied by the Kenya National Highways Authority	-Observing the operations, coordination and management of data center for weighbridges across the country -Observe the operations and management of a weighbridge	Friday, 13 <sup>th</sup> September 2024
(6)	Muthanga Farm in Maragua Constituency	<b>P/No. 10 of 2023</b> regarding Resettlement of residents of Muthanga Farm by Hon. Mary Wamaua, MP	Public participation with residents of Muthanga farm and stakeholder engagement with the multiagency committee, Muthanga Farm and Ltd., Royal Capital Ltd.	Friday, 13 <sup>th</sup> September 2024

Table 3.1 - Site Visits by the Public Petitions Committee



Figure 19 - Members of the Public Petitions Committee conduct an inspection visit of the stalled Jomvu Kuu-Jifoni-Rabai road in Jomvu Constituency on Friday, 26<sup>th</sup> April 2024

### 3.3.2 Key Parliamentary Activities and Events

During the Session, the Directorate facilitated the following key activities and events –

- (i) State of the Nation Address held on 21<sup>st</sup> November 2024;
- (ii) Pronouncement of the 2024 Budget Highlights held on 13<sup>th</sup> June 2024;
- (iii) Two (2) meetings of the EAC Bureau of Speakers on 27<sup>th</sup> to 29<sup>th</sup> May 2024 and 11<sup>th</sup> to 13<sup>th</sup> November 2024; and
- (iv) Translation of the addendum to the 6<sup>th</sup> Edition of the Standing Orders and Speakers Rules to Kiswahili.

### 3.3.3 Chamber Proceedings

During the Session, the Directorate facilitated the Chamber Proceedings as follows:

- (i) Processed one hundred and twenty-three (123) Votes and proceedings;
- (ii) Facilitated forty-two (42) Bills in the Committee of the Whole House;
- (iii) Provided procedural advice to the Speaker and the Chairperson of the Committee of the Whole;
- (iv) Managed Chamber attendance of Members;
- (v) Facilitated two (2) Committee of Supply for the Annual Estimates for FY 2024/2025 and the Supplementary Estimates II FY 2023/2024; and
- (vi) Facilitated one hundred and twenty-three (123) plenary sittings.

### 3.3.4 Parliamentary Caucuses

#### Parliamentary Outreach Activities

During the session, the Directorate facilitated the Kenya Young Parliamentarians (KYPA) Youth Assembly Plenary Session on 17<sup>th</sup> August 2024 as part of the International Youth Week celebrations. Hosted at County Hall, Parliament Buildings, this initiative was spearheaded by KYPA, under the leadership of Hon. Gitonga Mukunji, in collaboration with The Oslo Center. Its objective was to amplify youth voices for change. The young leaders gained first-hand experience in parliamentary proceedings through a mock session that included the election of the Speaker, Deputy Speaker, and House leadership. The session also featured a debate on key policy proposals addressing climate action, education, and poverty eradication.

The event was graced by esteemed guests, including H.E. Sheikh Dr. Mohammed Alissa, Secretary General of the Muslim World League; H.E. Kjell Magne Bondevik, former Norwegian Prime Minister and founder of The Oslo Center; Mr. Finn Jarle Rode, Executive Chair of The Oslo Center; as well as the Speakers of Lamu and Kwale County Assemblies. Through this collaboration between KYPA and The Oslo Center, the Youth Assembly Plenary Session aimed to promote democratic practices by strengthening good governance, political institutions, and civic engagement.

### 3.4 THE DIRECTORATE OF AUDIT, APPROPRIATIONS AND GENERAL-PURPOSE COMMITTEES

During the Session, the Directorate facilitated Audit, Appropriation and General-Purpose Committees as follows –

#### 3.4.1 Committee Sittings

The Directorate facilitated eight hundred and one (801) sittings of the committees in the Directorate to consider various businesses as per their mandate. The Public Accounts Committee and Decentralized Funds Account Committee had the highest number of sittings with seventy-six (76) and seventy-one (71) sittings respectively.

S/No.	Committee	No. of Sitings
(1)	Public Accounts Committee	76
(2)	Decentralized Funds Accounts Committee	71
(3)	Public Investments Committee on Social Services, Administration and Agriculture	70
(4)	Public Investments Committee on Governance and Education	66
(5)	Committee on Delegated Legislation	64
(6)	Special Funds Accounts Committee	59
(7)	National Government Constituencies Development Fund	49
(8)	Constitutional Implementation Oversight Committee	46
(9)	Committee on Implementation	45
(10)	Committee on National Cohesion and Equal Opportunity	44
(11)	Public Investments Committee on Commercial Affairs and Energy	42
(12)	Liaison Committee	40
(13)	Committee on Members' Services and Facilities	38
(14)	Committee on Regional Integration	37
(15)	Committee on Parliamentary Broadcasting and Library	27
(16)	Diaspora Affairs and Migrant Workers	26
(17)	Committee on Selection	1
	<b>TOTAL</b>	<b>801</b>

*Table 3.2 - Sitings of the Audit, Appropriations and General-Purpose Committees*

#### 3.4.2 Committee Reports

The Committees tabled thirty-seven (37) reports on consideration of reports of the Auditor General, management and utilization of various special funds, approval hearings of nominees for appointment to various State and public offices, Bills, and inspection visits.

### 3.4.3 Statutory Instruments

The Committee on Delegated Legislation received ninety-six (96) Statutory Instruments for scrutiny. The Committee concluded consideration of fifty-four (54) statutory instruments and conveyed them to the relevant regulatory making authorities. One (1) statutory instrument on Public Finance management (Kenya Millennium Development Fund) Regulations, 2024 was approved by the House subject to the regulatory making authority publishing a corrigendum to correct the minor errors identified. As at the end of the Session, twenty-three (23) statutory instruments were pending.

Additionally, seventeen (17) Regulations were recommended for revocation by the relevant regulatory making authority for failure to comply with section 11(1) of the Statutory Instruments Act, Cap. 2A and failure to meet the drafting standards.

### 3.4.4 Bills and Legislative Proposals

Various Committees considered five (5) Bills as follows –

- (a) **The National Employment Authority (Amendment) Bill, 2023 (Senate Bills No. 48 of 2023)**, a Bill sponsored by Sen. Crystal Asige, M.P was committed for joint consideration by the Diaspora Affairs and Migrant Workers Committee and the Departmental Committee on Labour. As at the end of the Session, the the Committees were yet to conclude consideration of the Bill;
- (b) The Committee on Delegated Legislation considered the Senate Amendment to the **Statutory Instruments Bill, 2023** and report tabled on 7<sup>th</sup> August 2024;
- (c) **The Public Participation Bill, 2023 (National Assembly Bills No. 52 of 2023)** was considered by the Committee on Parliamentary Broadcasting and Library and report tabled on 31<sup>st</sup> July 2024. As at the end of the Session, the report was awaiting consideration by the House; and
- (d) **The National Cohesion and Integration Bill, 2023 (National Assembly Bill No. 74 of 2023)** was considered by the Committee on National Cohesion and Equal Opportunity and a report tabled on 19<sup>th</sup> September 2024.

### 3.4.5 Implementation of House Resolutions

During the Session, the Select Committee on Implementation tabled its First, Second, and Third Omnibus Reports on Implementation Status of Reports on Petitions and Resolutions Passed by the House. By the end of the Third Session, the First Report had been concluded and adopted by the House while the Second and Third reports were awaiting debate by the House.

In the First Omnibus Report adopted on 6<sup>th</sup> November 2024, the Committee on Implementation scrutinized thirty-two (32) House resolutions contained in five (5) reports: three (3) reports on petitions and two (2) audit reports. In the Second Omnibus Report tabled on 26<sup>th</sup> October 2023, the Committee scrutinized sixty-four (64) resolutions contained in ten (10) financial audit reports. Additionally, in the Third Omnibus Report tabled on 5<sup>th</sup> December 2024, the Committee scrutinized one hundred and five (105) House resolutions contained in eight (8) audit reports,

eight (8) reports on petitions as well as four (4) Motions.

Notably, the Committee followed up on the status of implementation of the resolution by the House to establish database centres in all Civil Registration Centres in the country. As at 24<sup>th</sup> May 2024, one hundred and fifty-nine (159) data centres were operational which was an increase from one hundred and twenty-five (125) in 2021.

Consequently, on 6<sup>th</sup> September 2024, the State Department for Immigration and Citizen Services rolled out a three-year plan for an additional one hundred (100) operational offices to extend services closer to members of the public.

### 3.4.6 Approval hearings

The Committee on Appointments conducted approval hearings of twenty-three (23) persons nominated for appointments to the Offices of Cabinet Secretaries and the Attorney-General and a report tabled on 7<sup>th</sup> August 2024. Subsequently, nineteen (22) nominees were approved by the House on 7<sup>th</sup> August 2024 and 14<sup>th</sup> August 2024 while one nominee for Cabinet Secretary for the Ministry of Gender, Culture, the Arts and Heritage was rejected.

H. E. the President appointed the following 22 nominees as Cabinet Secretaries *vide* Gazette Notice No. 9622 dated 7<sup>th</sup> August 2024:

S/No.	Name	Ministry/ Position
(1)	Dr. Andrew Mwihia Karanja	Agriculture and Livestock Development
(2)	Hon. Roselinda Soipan Tuya	Defence
(3)	Hon. Julius Migos Ogambo	Education
(4)	Hon. Alice Wahome	Lands, Public Works, Housing and Urban Development
(5)	Hon. Dr. Debra Mlongo Barasa	Health
(6)	Hon. Prof. Kithure Kindiki	Interior and National -Administration
(7)	Hon. Aden Barre Duale	Environment, Climate Change and Forestry
(8)	Hon. Eric Muriithi Mugaa	Water, Sanitation and Irrigation.
(9)	Hon. Davis Chirchir	Roads and Transport
(10)	Hon. Margaret Nyambura Ndung'u	Information, Communication and the Digital Economy
(11)	Hon. Mbadi Ng'ongo	The National Treasury and Economic Planning
(12)	Hon. Salim Mvurya Mgala	Investments, Trade and Industry
(13)	Hon Rebecca Miano	Tourism and Wildlife
(14)	Hon. James Opiyo Wandayi	Energy and Petroleum
(15)	Hon. Onesmus Kipchumba Murkomen	Youth Affairs, Creative Economy and Sports
(16)	Hon. Hassan Ali Joho	Mining, Blue Economy and Maritime Affairs
(17)	Hon. Alfred Ng'ang'a Mutua	Labour and Social Protection

S/No.	Name	Ministry/ Position
(18)	Hon. Wycliffe Ambetsa Oparanya	Cooperatives, Micro, Small and Medium Enterprises Development
(19)	Hon. Justin Bedan Njoka Muturi	Public Service and Human Capital Development
(20)	Hon. Stella Soi Langat	Gender, Culture, the Arts and Heritage
(21)	Hon. Beatrice Askul Moe	East Africa Community Affairs and Regional Development
(22)	Hon. Dorcas Agik Oduor	Attorney General

Table 3.3 - Nominees for appointment as Cabinet Secretaries

Further, approval hearings of three (3) nominees for appointment to the position of Cabinet Secretary were undertaken. The Committee tabled a report on 16<sup>th</sup> January 2025, and the nominees were approved by the House on the same day. Subsequently, H.E. the President appointed the following three (3) nominees as Cabinet Secretaries *vide* Gazette Notice No. 379 dated 16<sup>th</sup> August 2024.

S/No.	Name	Cabinet Secretary Position
(1)	Hon. Mutahi Kagwe, EGH	Ministry of Agriculture and Livestock Development
(2)	Hon. Lee Kinyanjui	Ministry of Investments, Trade and Industry
(3)	Hon. William Kabogo	Ministry of Information, Communication and the Digital Economy

Table 3.4 - Three nominees for appointment as Cabinet Secretaries



Figure 20 - The Committee on Appointments, led by the Speaker of the National Assembly, Rt. Hon. Moses Wetang'ula, holds Approval Hearings for the Cabinet Secretary nominee for the Ministry of Information, Communications, and Telecommunications, H.E. William Kabogo on Wednesday, 15<sup>th</sup> January 2025

### 3.5 THE DIRECTORATE OF DEPARTMENTAL COMMITTEES

During the Session, the Directorate facilitated Departmental Committees to achieve the following –

#### 3.5.1 Committee Sittings

The Directorate facilitated one thousand, three hundred and eighty-nine (1,389) committee sittings during the period under review. The sittings included witness and public hearings, stakeholder engagements, approval hearings of nominees for appointment to various diplomatic offices and public offices.

S/No.	Committee	No. of Sittings
(1)	Administration & Internal Security	102
(2)	Agriculture & Livestock	91
(3)	Blue Economy, Water & Irrigation	52
(4)	Communication Information & Innovation	79
(5)	Defence, Intelligence & Foreign Relations	77
(6)	Education	65
(7)	Energy	50
(8)	Environment, Forestry & Mining	58
(9)	Finance & National Planning	86
(10)	Health	90
(11)	Housing, Urban Planning & Public Works	58
(12)	Justice & Legal Affairs	62
(13)	Labour	45
(14)	Lands	54
(15)	Regional Development	41
(16)	Social Protection	68
(17)	Sports & Culture	72
(18)	Tourism & Wildlife	63
(19)	Trade, Industry & Cooperatives	137
(20)	Transport & Infrastructure	39
	<b>TOTAL</b>	<b>1,389</b>

*Table 3.5 - Sittings of Departmental Committees*

#### 3.5.2 Bills and Legislative Proposals

##### Bills

The committees considered one hundred and nine (109) Bills and tabled seventy-five (75) reports on the Bills in the House. Some of the reports tabled were on the Independent Electoral Boundaries Commission (Amendment) Bill (National Assembly Bill No. 10 of 2024); the Business Laws (Amendment) Bill (National Assembly Bill No. 49 of 2024); and the Ethics and Anti-Corruption (Amendment) Bill (National Assembly Bill No. 11 of 2024); and the Community Health Promoters Bill (National Assembly Bill No. 53 of 2022).



Figure 21 - Members of the Departmental Committee on Justice and Legal Affairs during a meeting with the Judiciary on Wednesday, 15<sup>th</sup> May 2024

S/No.	Name of Committee	Bills Committed	Bills considered and reports tabled in the House
(1)	Administration & Internal Security	5	3
(2)	Agriculture & Livestock	12	7
(3)	Blue Economy, Water & Irrigation	3	2
(4)	Communication Information & Innovation	4	3
(5)	Defence, Intelligence & Foreign Relations	1	1
(6)	Education	7	7
(7)	Energy	0	0
(8)	Environment, Forestry & Mining	6	2
(9)	Finance & National Planning	15	11
(10)	Health	5	4
(11)	Housing, Urban Planning & Public Works	1	1
(12)	Justice & Legal Affairs	21	13
(13)	Labour	4	3
(14)	Lands	4	4
(15)	Regional Development	0	0
(16)	Social Protection	8	4
(17)	Sports & Culture	3	3
(18)	Tourism & Wildlife	1	1
(19)	Trade, Industry & Cooperatives	4	4
(20)	Transport & Infrastructure	5	1
	<b>TOTAL</b>	<b>109</b>	<b>75</b>

Table 3.6 - Bills considered by Departmental Committees



Figure 22 - The Departmental Committee on Finance and National Planning, chaired by the Hon. Kuria Kimani, MP engages stakeholders in public participation on the Finance Bill, 2024 in Machakos County on 30<sup>th</sup> May 2024



Figure 23 - The Departmental Committee on Trade, Industry, and Cooperatives led by the Vice Chairperson Hon. Marianne Kitany (Aldai) engaging stakeholders during public participation exercise on the County Licensing (Uniform Procedures) Bill in Kisumu County on Tuesday 2<sup>nd</sup> April 2024

## Legislative Proposals

The Directorate also facilitated consideration of forty-nine (49) legislative proposals. Following the consideration of the legislative proposals, thirty (30) reports were submitted to the Speaker for approval out of which eighteen (18) were recommended for publication. As at the end of the Session, seventeen (17) legislative proposals were pending consideration, while three (3) were withdrawn by the sponsors.

S/No.	Committee	Legislative Proposals Committed
(1)	Administration & Internal Security	5
(2)	Agriculture & Livestock	4
(3)	Blue Economy, Water & Irrigation	2
(4)	Communication Information & Innovation	4
(5)	Defence, Intelligence & Foreign Relations	1
(6)	Education	2
(7)	Energy	0
(8)	Environment, Forestry & Mining	3
(9)	Finance & National Planning	1
(10)	Health	2
(11)	Housing, Urban Planning & Public Works	1
(12)	Justice & Legal Affairs	12
(13)	Labour	3
(14)	Lands	3
(15)	Regional Development	0
(16)	Social Protection	0
(17)	Sports & Culture	0
(18)	Tourism & Wildlife	1
(19)	Trade, Industry & Cooperatives	1
(20)	Transport & Infrastructure	4
	<b>TOTAL</b>	<b>49</b>

*Table 3.7 - Legislative Proposals considered by Departmental Committees*

### 3.5.3 Treaties/Protocols/Agreements and Conventions

During the period under review, the Directorate facilitated the consideration and tabling of reports on the following Convention and Agreements which were approved by the House –

- (a) The Multilateral Convention to implement Tax Treaty related measures to Prevent Base Erosion and Profit Shifting;
- (b) The Economic Partnership Agreement between Kenya and European Union; and
- (c) The Agreement on the Establishment of the Global Green Growth Institute (GGGI).

The following protocols were under consideration as at the end of the Session –

- (a) The Departmental Committee on Defence, Intelligence and Foreign Relation received the Treaty establishing the Inter-Governmental Authority on Development (IGAD), the African Union Convention on Cross Border Operation (NIAMEY Convention), and the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament. The Reports

- on the Convention and Protocol were Tabled before the House and were pending consideration by the end of the Session;
- (b) The Departmental Committee on Agriculture and Livestock received the Protocol amending the Marrakesh Agreement establishing the World Trade Organization (Agreement on Fisheries Subsidies); and
  - (c) The Departmental Committee on Finance and National Planning received the Agreement for the Establishment of the Africa Finance Corporation.

### 3.5.4 Sessional Papers

The Directorate facilitated consideration of the following Sessional Papers including Sessional Paper No. 5 of 2023 on the National Policy on Labour Migration which was submitted in the Second Session –

- (a) Sessional Paper No. 3 of 2023 on the Kenya Policy on Public Participation;
- (b) Sessional Paper No. 3 of 2024 on the Power of Mercy Policy by the Office of the Attorney-General and Department of Justice;
- (c) Sessional Paper No. 4 of 2024 on the Alternative Dispute Resolution Policy;
- (d) Sessional Paper No. 5 of 2024 on the Green Fiscal incentives Policy Framework;
- (e) Sessional Paper No. 6 of 2024 on the National Aviation Policy; and
- (f) Sessional Paper No. 7 of 2024 on the National Sanitation Management Policy from Ministry of Water, Sanitation and Irrigation.

### 3.5.5 Review of the National Government Budget and Related Processes

During the period under review, the Directorate facilitated the consideration of –

- (a) The 2024 Budget Policy Statement (BPS) and Medium-Term Expenditure Framework (MTEF): Each Departmental Committee presented a report to the Budget and Appropriations Committee for collation and presentation in the House;
- (b) Budget Estimates for the Financial Year 2024/2025 and Medium-Term Expenditure Framework;
- (c) Supplementary Budget Estimates I and II; and
- (d) Quarterly monitoring and reporting on implementation of the budget.

### 3.5.6 Approval hearings

The Directorate facilitated approval hearings for the following State and Public Offices –

- (a) Director-General for Health;
- (b) Director-General of the Competition Authority;
- (c) Chairperson and six (6) other members of the Salaries and Remuneration Commission;
- (d) Chairperson and seven (7) members of the Board of the Independent Policing Oversight Authority;
- (e) Deputy Governor of the Central Bank of Kenya;
- (f) Chairperson and two (2) members of the Commission on Administrative Justice;
- (g) Secretary/Chief Executive Officer of the Ethics and Anti-Corruption Commission (EACC);

- (h) Chairperson and Member of the National Gender and Equality Commission (NGEC);
- (i) Inspector-General of the National Police Service;
- (j) Twenty-eight (28) persons to the positions of High Commissioners, Ambassadors, Permanent Representatives and Consul-General; and
- (k) Vice-Chairperson and seven (7) members of the Public Service Commission.

### High Commissioners

S/No.	Name	Station
(1)	Catherine Kirumba Karemu	United Kingdom
(2)	Caroline Kamende Daudi	Canada
(3)	Joash Arthur Maangi	Uganda
(4)	Lilian Tomitom	Zambia
(5)	Lt. Gen. (Rtd) Peter Mbogo Njiru	Pakistan

*Table 3.8 - Nominees for appointment as High Commissioners*

### Ambassadors

S/No.	Name	Station
(1)	Abdi Aden Korio	Oman
(2)	Moi Lemoshira	Japan
(3)	Christopher Kiplagat Kerich	Washington, United States of America
(4)	Peter Mutuku Mathuki	Russia
(5)	Ms. Everlyne Mwenda Karisa	Cuba
(6)	Fred Outa	Egypt
(7)	Halima Yussuf Mucheke	Netherlands
(8)	Jessica Muthoni Gakenya	Morocco
(9)	Kenneth Milimo Ng'ang'a	United Arab Emirates
(10)	Lt. Gen. (Rtd) Jonah Mwangi	Iran
(11)	Anne Kisaka Nanguli	Senegal
(12)	Timothy Kaluma Mcharo	Algeria

*Table 3.9 - Nominees for appointment as Ambassadors*

### Permanent Representatives

S/No.	Name	Station
(1)	Fancy Too	Geneva
(2)	Gertrude Angote	UNEP
(3)	Grace Atieno Okara	UN-HABITAT
(4)	Ekitela Erastu Lokaale	New York

*Table 3.10 - Nominees for appointment as Permanent Representatives*

## Consuls-General

S/No.	Name	Station
(1)	Aden Mohamud Mohamed	Jeddah, Saudia Arabia
(2)	David Iboko Lokener	Dubai, UAE
(3)	Ezra Chiloba	Los Angeles, USA

*Table 3.11 - Nominees for appointment as Consuls-General*

## The National Gender and Equality Commission

Two (2) persons to the National Gender and Equality Commission approved:

S/No.	Name	Position
(1)	Hon. Rehema Jaldesa	Chairperson
(2)	Mr. Michael Nzomo Mithuka	Commissioner

*Table 3.12 - Nominees for appointment to the National Gender and Equality Commission*

## The Independent Policing Oversight Authority Board

Eight (8) persons to the Independent Policing Oversight Authority Board approved:

S/No.	Name	Station
(1)	Mr. Ahmed Issack Hassan, CBS	Chairperson
(2)	Ms. Ann Wanjiku Mwangi	Member
(3)	Dr. Micah Onyiego Nyakego, PhD, OGW	Member
(4)	Mr. Boniface Kipkemoi Samah	Member
(5)	Dr. Annette Mudola Mbogoh	Member
(6)	Hon. John Muchiri Nyaga	Member
(7)	Mr. Kenwilliams Nyakomitah	Member
(8)	Ms. Jackline Lukalo Mwenesi	Member

*Table 3.13 - Nominees for appointment to the Independent Policing Oversight Authority Board*

## The Commission on Administrative Justice

Three (3) persons approved to the Commission on Administrative Justice:

S/No.	Name	Station
(1)	Mr. Charles Orinda Dulo	Chairperson
(2)	Hon. Charles Njagua Kanyi	Member
(3)	Ms. Dorothy Jemator Kimengech	Member

*Table 3.14 - Nominees for appointment to the Commission on Administrative Justice*

### Deputy-Governor of the Central Bank of Kenya

S/No.	Name	Station
(1)	Dr. Susan Koech	Deputy- Governor, CBK
(2)	Mr. Gerald Nyaoma	Deputy- Governor, CBK

*Table 3.15 - Nominees for appointment as Deputy-Governors of the Central Bank of Kenya*

### The Public Service Commission

Vice-Chairperson and seven (7) members of the Public Service Commission

S/No.	Name	Station
(1)	Mrs. Mary Kimonye	Vice-Chairperson
(2)	Harum Maalimu	Member
(3)	Mwanamaka Mabruki	Member
(4)	Boya Molu	Member
(5)	Dr. Irene Asienga	Member
(6)	Dr. Francis Otieno	Member
(7)	Joan Machayo	Member

*Table 3.16 - Nominees for appointment to the Public Service Commission*

### Nominees for appointment to various positions

The following four (4) persons were approved for appointment to the following positions:

S/No.	Name	Position
(1)	Dr. Patrick Amoth, EBS	Director- General for Health
(2)	Mr. David Kibet Kimei	Director- General of the Competition Authority
(3)	Mr. Abdi Ahmed Mohammed, MBS	Secretary/Chief Executive officer to the Ethics and Anti-Corruption Commission
(4)	Mr. Douglas Kanja Kirocho, MGH	Inspector-General of the National Police Service

*Table 3.17 - Nominees for appointment to various positions*

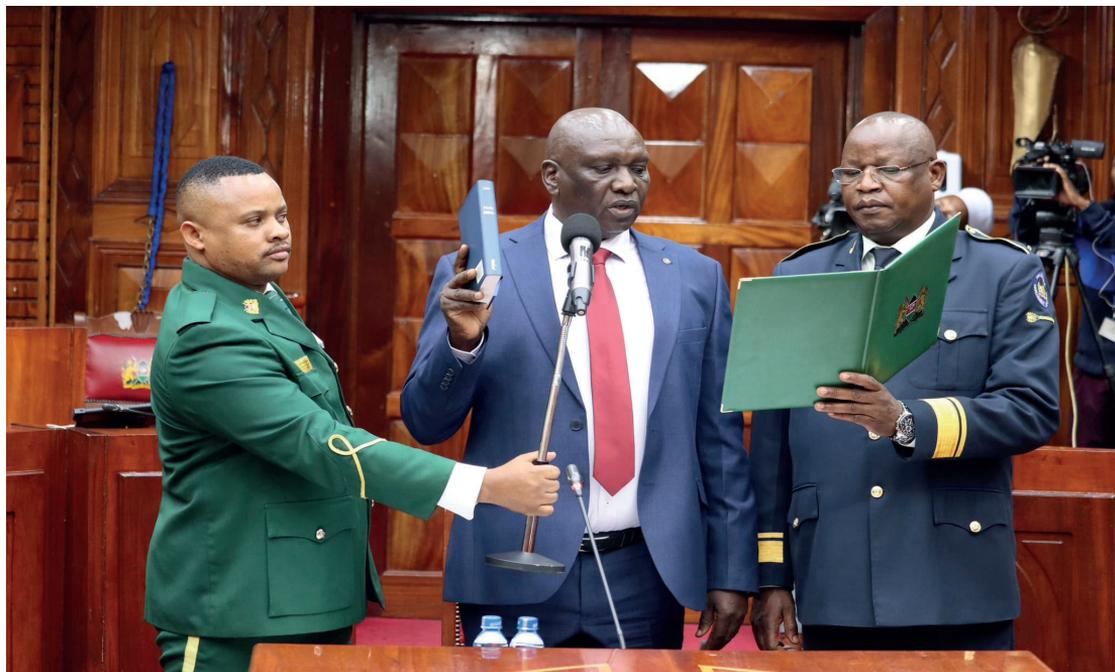


Figure 24 - Mr. Douglas Kanja Kirocho, the nominee for Inspector General of Police taking Oath before a Joint sitting of the National Assembly Departmental Committee on Administration and Internal Security and the Senate Standing Committee on National Security, Defence and Foreign Relations for approval hearings on Thursday, 15<sup>th</sup> August 2024

### 3.5.7 Committee Inquiries

During the period under review, the Directorate facilitated various Committees to undertake inquiries into –

- (a) The security situation and operations in six (6) counties in the North Rift Region being Baringo, Elgeyo Marakwet, Turkana, West Pokot, Samburu and Laikipia, by the Departmental Committee on Administration and Internal Security;
- (b) The Maize Flour Subsidy Programme for FY 2022/2023 by the Departmental Committee on Agriculture and Livestock;
- (c) The conduct of British Army Training Unit (BATUK) in Laikipia, Kenya by the Departmental Committee on Defence, Intelligence and Foreign Relations (ongoing);
- (d) The deployment of classroom teachers to headship positions without salary and allowances increase by the Departmental Committee on Education;
- (e) The escalating costs of electricity in the Country and further inquire into the matter generally and specifically the place of Independent Power Producers in the generation of electricity by the Departmental Committee on Energy;
- (f) The operations of the National Health Insurance Fund (NHIF) by the Departmental Committee on Health;
- (g) The Ngeria Estate Squatters Land dispute; the *Drumvale* Farmers' Cooperative Society land dispute; and the *Syokimau* Farm Limited land dispute by the

- Departmental Committee on Lands;
- (h) Inquiries by the Departmental Committee on Trade, Industry, and Cooperatives on the following –
- (i) The alleged unfair trade practices by Foreign Investors in Kenya;
  - (ii) East African Portland Cement Company's Poor performance and Invasion of its Land by grabbers;
  - (iii) Alleged illegal and irregular release of condemned sugar by Kenya Bureau of Standards (KEBS);
  - (iv) The duty-free importation programme of edible oil by the Kenya National Trading Corporation (KNTC); and
  - (v) Complaints by Kenya Transporters Association Ltd against multinationals in the transport and logistics sector.
- (i) The human-wildlife conflict to develop a comprehensive resolution that considers the interest of citizens, conservation of wildlife and the sustainable development of the nation, by the Departmental Committee on Tourism; and
- (j) The alleged dumping of toxic and nuclear wastes in the North-Eastern Region by the Departmental Committee on Environment, Forestry and Mining.



*Figure 25 - Members of the Public Investment Committee on Commercial Affairs and Energy during a visit to the Geothermal Steam Wells in Baringo on Sunday, 23<sup>rd</sup> June 2024*

### 3.5.8 Questions and Statements

#### Questions

The following three (3) Questions directed to Constitutional Commissions were processed during the Session –

- (a) Question to the Public Service Commission regarding mainstreaming of marginalized groups and communities in the public service by the Member for Mbeere North (Hon. Geoffrey Ruku);
- (b) Question to the Teachers Service Commission regarding the circumstances that led to the delay in payment of workman’s compensation to Mr. Mohamed Sheikh Ibrahim who was involved in a car accident while on duty by the Member for Mandera South (Hon. Abdul Haro); and
- (c) Question to the Ethics and Anti-Corruption Commission (EACC) on status of all monies and properties recovered for the State pursuant to the Proceeds of Crime and Anti-Money Laundering Act (CAP 59A) by the Member for Mbeere North (Hon. Geoffrey Ruku).

#### Statements

Two hundred and eleven (211) Statements were referred to committees for consideration out of which one hundred and fifty (150) were responded to. The Statements presented were on various topical issues ranging from access to education and health services, security concerns, land matters, cost and supply of electricity, social welfare, and human wildlife conflict among others.

## 3.6 THE DIRECTORATE OF LEGAL SERVICES

The Directorate of Legal Services (DLS) provided in-house legal services to the National Assembly in fulfilment of its mandate in the realization of the Parliamentary Service Commission (PSC) strategic objectives. During the Session, the Directorate undertook its duties and responsibilities as follows –

### 3.6.1 Facilitating the law-making process

The Directorate drafted and reviewed one hundred and five (105) Bills out of which seventy-seven (77) were sponsored by private Members and twenty-eight (28) by the Executive. Further, forty-nine (49) Bills were introduced in the House and twenty (20) Bills were assented to.

### 3.6.2 Legal support to Committees

The Directorate provided technical support through availing legal opinions and briefs to all Committees.



Figure 26 -The President H.E (Dr.) William Ruto, CGH (centre) and Deputy President H.E. Rigathi Gachagua posing Members of the National Assembly and representatives from the Executive during the assent to the Supplementary Appropriation Bill, 2024 on Monday, 5<sup>th</sup> August 2024 at State House, Nairobi



Figure 27 -The President H.E (Dr.) William Ruto, CGH assenting to the Division of Revenue (Amendment) Bill, 2024 on Wednesday, 4<sup>th</sup> December 2024 at State House, Nairobi. Looking on is the Clerk of the National Assembly, Mr. Samuel Njoroge, CBS.

### 3.6.3 Drafting and formulation of legal opinions

The Directorate prepared seventy-five (75) legal opinions on various matters including determination of whether a Bill concerns counties. It also provided legal advice regarding the processing of special Motions on removal from office by impeachment of the Deputy President of the Republic of Kenya H.E Rigathi Gachagua, EGH and removal from office by impeachment of the Cabinet Secretary for Agriculture, Hon. Mithika Linturi.

### 3.6.4 Admissibility of Petitions submitted to the National Assembly

The Directorate prepared legal opinions regarding the admissibility of sixty-three (63) petitions submitted to the National Assembly. This ensured adherence to statutory standards of processing petitions to the House.

### 3.6.5 Parliamentary pupillage and internship programme

During the Session, the Directorate hosted six (6) pupils under the Parliamentary Pupillage Programme and seven (7) interns to enhance legal studies and on proper practice of an advocate as required for admission to the bar.

## 3.7 THE DIRECTORATE OF LITIGATION AND COMPLIANCE SERVICES

The Directorate of Litigation and Compliance Services played a pivotal role in defending legal proceedings instituted against the National Assembly or in which the National Assembly is an interested party. Throughout the Session the Directorate provided timely and considered legal advice, significantly contributing to the seamless operation of the House. The Directorate handled multiple responsibilities such as managing legal disputes and litigation, overseeing contracts, preparing legal agreements, handling conveyancing, ensuring regulatory compliance and providing associated legal services.

### 3.7.1 Litigation matters

During the reporting period, the Directorate litigated on the following key matters –

#### (1) The Finance Act, 2023

*Supreme Court Petition No. E031 of 2024 as consolidated with Petition Nos. E032 & E033 of 2024: The Cabinet Secretary for The National Treasury and Planning, The Attorney General, The National Assembly and 2 others -versus- Okiya Omtatah Okoiti, Eliud Karanja Matindi, Michael Kojo Otieno and 50 others*

#### (i) Background and issues for determination

Following the enactment of the Finance Act, 2023, eleven (11) Constitutional Petitions were filed to oppose it. The matters generally revolved around the constitutionality of the Finance Act, 2023, which introduced various tax measures and amendments to existing laws. The main issues raised by the Petitioners while the matter was at the High Court were:

- (a) Whether the legislative process leading to the enactment of the Finance Act, 2023 complied with constitutional and statutory requirements;
- (b) Whether public participation was adequately conducted;
- (c) Whether certain tax provisions introduced in the Finance Act, 2023 were

unconstitutional;

(d) Whether the Affordable Housing Levy was unconstitutional; and

(e) Whether the Act contained matters unrelated to a money bill, which should have involved Senate concurrence.

The case progressed through the High Court, Court of Appeal, and finally the Supreme Court, with consolidated appeals and cross-appeals addressing these main issues, with the National Assembly and its Speaker defending the legality of the Act throughout.

## **(ii) High Court Determination**

The High Court (Majanja, Meoli, and L. Mugambi, JJ.) in their Judgment delivered on 28<sup>th</sup> November, 2023 found that:

(a) Some provisions of the Finance Act, 2023 were unconstitutional because they contained matters beyond a money Bill and should have been subjected to Senate concurrence;

(b) Public participation was sufficient, however, the National Assembly should have given reasons for rejecting public proposals;

(c) Certain sections of the Act introduced post-public participation were unconstitutional as they had not gone through further scrutiny by the public;

(d) The Affordable Housing Levy was unconstitutional, as it lacked a legal framework and was discriminatory; and

(e) The failure to seek Senate concurrence did not automatically render the entire Act unconstitutional, however the Court struck out specific provisions of the Finance Act, 2023 that were found to unconstitutionally affect county governments or fall outside the scope of a money Bill under Article 114(3) of the Constitution. Specifically, Sections 76 and 78 of the Act were struck down for altering the composition of the Kenya Roads Board - a governance matter unrelated to taxation. Section 87 of the Act was invalidated for altering unclaimed asset procedures, while Sections 88 and 89 were nullified for changing statutory instrument expiration rules. The court emphasized that money bills must strictly concern taxation and public finance matters, not broader governance issues. These provisions were deemed unconstitutional inclusions in financial legislation.

## **(iii) Court of Appeal Determination**

The matter then escalated to the Court of Appeal and on 31<sup>st</sup> July 2024, the Court (M'Inoti, Murgor & Mativo, JJ.A.) delivered its judgment ruling that:

(a) The Affordable Housing Levy issue was moot, as a separate Affordable Housing Act with Regulations providing for the levy's management, enforcement and monitoring had been enacted in 2024;

(b) The Finance Act contained unconstitutional provisions, specifically those introduced without public participation and those unrelated to a money Bill;

(c) The legislative process was flawed, violating Articles 220(1)(a) and 221 of the Constitution and the Public Finance Management Act;

- (d) Failure to involve the Senate did not vitiate the entire Act, but affected provisions had to be removed; and
- (e) Parliament must provide reasons for rejecting public submissions to comply with constitutional principles.

The National Assembly had maintained the position that the Bill was a money Bill and Senate involvement was unnecessary in this particular Act.

#### **(iv) Supreme Court Determination**

On appeal of the Court of Appeal's Judgment to the apex Court, the Supreme Court in its judgment dated 29<sup>th</sup> October 2024 largely upheld the constitutionality of Finance Act, 2023 while providing crucial clarifications on several constitutional matters as follows –

- (a) The Court affirmed that the Act properly qualified as a money bill under Article 114(3) of the Constitution, noting that such financial legislation does not require Senate concurrence;
- (b) That Parliament had conducted adequate public participation, ruling that subsequent technical amendments to the bill did not necessitate fresh public consultation when they addressed issues raised during initial public engagement;
- (c) The Court clarified that Appropriation Act need only specify expenditure estimates, not revenue projections which resolved a key dispute about parliamentary budgeting processes; and
- (d) The Court determined the issue of the Affordable Housing Levy had become moot following enactment of separate housing legislation that addressed the original constitutional defects.
- (e) While upholding most of the Act, the Supreme Court upheld the High Court's invalidation of multiple non-financial provisions (including changes to the Kenya Roads Board composition, amendments to unclaimed asset procedures and regulatory adjustments such as amendments to statutory instrument expiration rules) that were deemed improperly included in financial legislation. The Judgment carefully balanced judicial oversight with respect for parliamentary authority, affirming the Court's power to review policy-backed laws while cautioning against interference in pure policy matters such as tax rate determinations.

#### **(2) The Affordable Housing Act, 2024**

*Nairobi Constitutional Petition E154 of 2024 as consolidated with Petitions E173, E176, E181, E191 and 11 all of 2024: Dr. Magare-Gikenyi, Pauline Nduta Kinyanjui and 41 others -versus- The Cabinet Secretary Lands, Public Works, Housing and Urban Development, The Cabinet Secretary, The National Treasury and Economic Planning, The Hon. Attorney General, National Assembly and 24 others*

##### **(i) Background and issues for determination**

There are six (6) consolidated petitions challenging the constitutionality of various provisions and aspects of the Affordable Housing Act, 2023. The petitioners, including individuals and civic organizations, argued that several provisions of the Act violated constitutional rights, particularly:

- (a) The imposition of a 1.5% housing levy on income, which they claimed was discriminatory (targeting only the formal sector) and infringed on the right to property;
- (b) Inadequate public participation during the legislative process in violation of Articles 10, 118 and 201 of the Constitution;
- (c) Encroachment on devolved functions provided for in Articles 185 and 186 as well as the Fourth Schedule, as housing is a shared responsibility between national and county governments;
- (d) Usurpation of the National Land Commission's role in management of public land under Articles 62 and 67 of the Constitution;
- (e) Retrospective application of the Act to validate earlier levies should be declared unconstitutional; and
- (f) Failure to involve the Commission on Revenue Allocation in the enactment of the Act.

The Petitioners sought declarations of unconstitutionality, Judicial Review orders (certiorari, mandamus and prohibition) and refunds of collected levies. In the ruling delivered on 22<sup>nd</sup> October 2024, a three-judge bench of the High Court comprising Justices Sewe, Chigiti and Mong'are dismissed the consolidated Petitions challenging the Affordable Housing Act, 2024, upholding its constitutionality in its entirety. The court's judgment addressed each of the Petitioners' arguments, systematically affirming the validity of the contested provisions.

## (ii) High Court Determination

- (a) **Public Participation Complied with Constitutional Requirement-** The High Court found that the National Assembly and Senate had conducted adequate public participation in line with Articles 10 and 118 of the Constitution. The process, which included newspaper advertisements inviting memoranda (9<sup>th</sup> December 2023), stakeholder hearings in 19 counties and alternative participation methods (written submissions, oral hearings) was deemed reasonable and sufficient. The Judges emphasized that no legal requirement mandates consultations in all 47 counties, applying the doctrine of reasonableness to justify the scope and timelines of engagement.
- (b) **No Discrimination in Levy Imposition** - The Petitioners had argued that the 1.5% housing levy unfairly targeted the formal sector. However, the court ruled that the differentiated treatment between formal and informal sectors was not arbitrary but rather a practical and equitable approach to tax administration. The inclusion of provisions for self-assessment under the Income Tax Act (section 52B) further demonstrated that the law did not exclude informal earners.
- (c) **No Violation of Property** - The Court affirmed that taxation constitutes a lawful deprivation of property under Article 209, provided it is not arbitrary. Since the levy was imposed through legislation (not executive discretion) and served a public purpose (affordable housing), it did not infringe on constitutional protections.
- (d) **No Encroachment on Devolution** - The Court clarified that housing is a

shared function between national and county governments wherein the National government sets policy (under Part 1 of the Fourth Schedule) and the County governments handle implementation (Part 2 of the Fourth Schedule). The inclusion of county representatives in the Affordable Housing Board (Section 16) ensured that devolved units retained a role in execution, negating claims of overreach.

- (e) **National Land Commission's Role Respected** - the Court dismissed arguments that the Act undermined the National Land Commission's Role authority over public land, noting that Section 41 explicitly required compliance with the Land Act in all housing projects.
- (f) **No Obligation to Consult the Commission on Revenue Allocation**- Since the Act did not involve direct revenue allocation to counties, the Commission on Revenue Allocation's input was not constitutionally required to enact the statute.
- (g) **Retrospective Application Justified** - The transitional provisions under Section 60, which preserved funds collected under the earlier (invalidated) Finance Act, 2023, were deemed necessary to avoid fiscal disruption rather than an unlawful retrospective imposition.

By the end of the Session, the Petitioners in the High Court have since appealed and the National Assembly is awaiting directions from the Court of Appeal.

### 3.7.2 Constitutional Petitions Challenging the Cabinet Secretaries' Nominations and Vetting/Approval Processes

*Malindi High Court Constitution and Human Rights Petition E015 of 2024, Malindi Civil Application No. E027 of 2024, Nairobi High Court Constitutional Petition E363 of 2024, Nairobi High Court Constitutional Petition No. E364 of 2024, Nairobi High Court Constitutional Petition No. E372 of 2024, Nairobi High Court Constitutional Petition No. E381 of 2024, Nairobi High Court Constitutional Petition No. E389 of 2024, Nairobi High Court Constitutional Petition No. E397 of 2024, Nairobi High Court Constitutional Petition No. E403 of 2024, Nairobi High Court Constitutional Petition No. E405 of 2024 and Nairobi High Court Constitution and Human Rights Petition E422 of 2024*

#### **Background and status**

Several petitioners filed twelve (12) constitutional Petitions across various courts challenging the nominations, vetting and appointments of Cabinet Secretaries appointed by H.E the President on by letters dated 22<sup>nd</sup> July 2024 and 24<sup>th</sup> July 2024, that were forwarded to the Speaker of the National Assembly, nominees for approval as Cabinet Secretaries pursuant to Article 152(2) of the Constitution and section 3 and 5 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F. The main respondents included the Speaker of the National Assembly, the Attorney General, and nominees accused of constitutional breaches or ethical misconduct.

These cases generally contested the nomination processes carried out by H.E. the President, and the approval/vetting process undertaken by the National Assembly. The issues included allegations of integrity lapses, claims of corruption by some of the nominees, breaches of constitutional provisions on

gender balance, purported procedural irregularities, and insufficient public participation.

As at the end of the Session, the cases were at varying stages of consideration by the various Courts with some having been withdrawn, others empanelled before benches, several awaiting hearings and they remain ongoing without final determinations or conservatory orders issued.

### 3.7.3 Constitutional Petitions challenging Land Rights and Land Governance Disputes

#### Background and Status

In the Third Session, there were several petitions addressing land rights, community property, constitutional violations related to land and criminal allegations in relation to land rights across various courts as follows –

- (a) ***Nyeri ELC Land Petition E001 of 2024***: A constitutional Petition filed by officials representing evicted forest squatters from *Tucha/Kiandogoro* against several respondents, including the Cabinet Secretary for Lands, the Principal Secretary for Lands, the National Assembly, the Attorney General and the National Land Commission. The Petitioners sought several reliefs, primarily orders of mandamus to compel the government to acquire alternative land or compensate the evicted households, who were forcibly removed in 1988 and have not been resettled since.
- (b) ***Malindi ELC Petition E012 of 2024***: The *Taireni* Association of Mijikenda (Petitioner) filed a Petition challenging the acquisition of multiple land parcels in Kisiwani by Kisima Farm. The Petitioner alleged procedural irregularities in the land acquisition process and failure by Parliament to resolve disputes arising from a public petition dated 1st March 2019 filed by Sabaki residents and a Select Committee Report on land ownership along Kenya’s 10-mile Coastal Strip.
- (c) ***Voi ELC Petition E011 of 2024***: The Petitioners – David Mwandawiro Mibirika, Agnes Nakamba Mwamburi, Nancy Ndigha Toto, and 201 others – allege historical land injustices tied to over 60 years of occupation of land formerly known as *LR No. 5865/2* in Taveta Sub-County. Though listed as beneficiaries of a 2007 government settlement scheme, they claimed title deeds were wrongly issued to third parties. They accused state officials of harassment, arbitrary arrests, and property destruction aimed at evicting them. The Petitioners cited violations of their constitutional rights.

In the above-named petitions, the National Assembly is cited for its role in addressing land-related grievances through committee investigations, petitions and reports. In each case, the National Assembly’s position was that while it had powers to investigate and recommend action, implementation lies with the Executive, in line with the doctrine of separation of powers.

The cases portrayed the important role that the National Assembly plays in addressing issues through inquiries and recommendations. They also highlighted the need to strengthen follow-up mechanisms and enhance coordination with the Executive and other institutions to ensure effective implementation of House resolutions.

### 3.7.4 Constitutional Petitions challenging the Impeachment of the former Deputy President

#### (i) Background and status

A series of constitutional petitions were instituted in various courts across the country contesting the impeachment process of the Deputy President Rigathi Gachagua. The cases, filed by different petitioners, raised constitutional, procedural, and public participation concerns regarding the impeachment motion. The petitioners argued that the impeachment process violated constitutional provisions, lacked procedural fairness and was politically motivated. Some cases also questioned the legality of public participation conducted by Parliament and the process of nomination of a replacement for the Deputy President.

As at the end of the Session, 41 Petitions were consolidated due to their similarity and the Chief Justice empanelled a bench to hear and determine substantive legal questions. Other cases have been dismissed for procedural defects, while others were still active as at the end of the Session.

#### (ii) Key determinations

- (a) **Public Participation Issues** – There were several Petitions that argued that the impeachment process lacked adequate and meaningful public participation, contrary to Articles 10, 145 and 150 of the Constitution. Courts have ruled in preceding cases that Parliament must conduct extensive and effective public participation exercises before proceeding with impeachment.
- (b) **Threshold for Impeachment** – The petitioners contended that the impeachment motion did not meet the constitutional threshold under Article 15 of the Constitution and in some cases asserted that Parliament improperly introduced new grounds not contained in the initial motion.
- (c) **Nomination of a Replacement for the Deputy President** – Forty-four (44) Petitions and Judicial Review matters challenged the nomination of Hon. (Prof.) Kithure Kindiki, EGH as a replacement, arguing that it was done without public participation and in violation of constitutional provisions.

Due to the large number of cases raising similar constitutional questions, the courts referred several matters to the Chief Justice for the empanelment of a bench. Some petitions were dismissed for procedural irregularities such as failure to comply with court directions or being filed by unqualified advocates while others were voluntarily withdrawn by the petitioners. The former Deputy President also filed appeals challenging judicial decisions made at the High Court, including one contesting the Deputy Chief Justice’s authority to empanel a bench.

### 3.7.5 Constitutional Petitions challenging the National Government Constituencies Development Fund Act, 2015

#### (i) Background and Determination

The High Court Petition No. 178 of 2016 (*Wanjiru Gikonyo & Another v. The National Assembly of Kenya & 4 Others*) challenged the constitutionality of the National Government Constituencies Development Fund Act, 2015. The petitioners argued that the Act –

- (a) Violated the principle of separation of powers;
- (b) Interfered with the division of functions between national and county governments;
- (c) Was enacted without involvement of the Senate and Commission on Revenue Allocation; and
- (d) Contravened the constitutional structure of governance and principles of public finance.

The case was heard by a three-judge bench and Judgment was delivered on 20<sup>th</sup> September 2024. The Court ruled that the National Government Constituencies Development Fund Act, 2015, including its amendments in 2022 and 2023, is unconstitutional. As a result, all activities and programmes under the Fund were to be discontinued by midnight on 30<sup>th</sup> June 2026.

#### (ii) Key Findings

- (a) **The 2022 and 2023 amendments did not cure the constitutional defects of the Act:** The amendments continued to entrench the National Assembly's influence over the Fund, including appointment powers and budget oversight;
- (b) **The Act undermines devolution:** The creation of constituencies as service delivery units caused duplication of funding, inefficiencies and lack of accountability;
- (c) **The Act does not violate the doctrine of basic structure:** The Supreme Court had ruled that the doctrine of basic structure is inapplicable in Kenya;
- (d) **The Act interferes with the division of functions between the two levels of government:** Provisions such as an emergency reserve fund duplicated county functions, creating inefficiencies;
- (e) **The Act violates separation of powers:** The role of Members of Parliament in the administration of the Fund conflicted with their oversight mandate, undermining their accountability function;
- (f) **The Act breaches principles of public finance:** Overlapping projects led to wastage and compromised fiscal responsibility;
- (g) **The Act was unlawfully enacted without involvement of the Senate and Commission on Revenue Allocation:** The absence of Senate concurrence violated Article 110(3) of the Constitution; and
- (h) **Allocation of funds before the vertical division of revenue was unlawful:** The court declined to rule on this issue, as the Division of Revenue Act had already lapsed.

The Judgment offered the National Assembly an opportunity for institutional

reflection and constitutional alignment. While the Court found the NG-CDF Act unconstitutional, it acknowledged the National Assembly's well-intentioned efforts to support grassroots development through structured funding. The judgment also provided clarity on the boundaries of legislative oversight and implementation, reaffirming the National Assembly's central role in policymaking, budget approval and holding the Executive accountable.

### 3.7.6 Summary of cases

The Directorate handled one hundred and twenty-five (125) cases relating to public participation in legislative process, constitutionality of various legislation, issues of separation of powers, financial management, and vetting and impeachment of various State and public officers. Some of the notable cases are summarised below –

S/No.	Case Number & Parties	Summary of Issues
(1)	<b>High Court Constitution and Human Rights Petition (Civil) E031 of 2024</b>  <i>Consumer Federation of Kenya – vs- National Assembly and Speaker of The National Assembly and 4 Others</i>	The Petitioner argues that the process used to amend <b>the Scrap Metal Act</b> was unconstitutional, undermining principles of transparency, public participation and democratic governance.
(2)	<b>High Court Constitution and Human Rights Petition (Civil) E036 of 2024</b>  <i>Katiba Institute –vs- Kenya National Commission On Human Rights and National Assembly and 5 Others</i>	The Petitioner alleges the failure by various public bodies to adhere to constitutional obligations, statutory mandates, and a court judgment in addressing constitutional and legal deficiencies in <b>the Penal Code</b> provisions on robbery with violence and attempted robbery with violence.
(3)	<b>High Court Constitution and Human Rights Petition Miscellaneous E004 of 2024</b>  <i>Andabwa –vs- Independent Electoral and Boundaries Commission, National Assembly and 2 Others</i>	The petitioner seeks orders to invoke the sovereign power of the people under Article 1(2) of the Constitution, including <b>recalling Parliament, disbanding the IEBC</b> and compelling state institutions and officers to comply with their exercise of direct sovereign power.
(4)	<b>Nairobi Court of Appeal Application E056 of 2024</b>  <i>Mabroukie Tea And Coffee Estates Limited –vs- The Honourable Attorney General, The National Land Commission and 2 Others</i>	An application for stay of proceedings pending the hearing and determination of an appeal from the ruling and order of the High Court of Kenya, Environment and Land Court at Nairobi delivered on 12 <sup>th</sup> July 2023 in Environment and Land Court Petition No. 21 of 2022 which was in regards to the constitutionality of <b>Section 15 of the National Land Commission Act, 2012.</b>

S/No.	Case Number & Parties	Summary of Issues
(5)	<p><b>High Court Constitution and Human Rights Petition (Civil) E098 of 2024</b></p> <p><i>Katiba Institute and Mathare Social Justice Centre –vs- State Law, National Assembly and Senate</i></p>	<p>The petitioners seek declarations and orders to annul various sections of the <b>Community Groups Registration Act (CGRA)</b> for violating constitutional principles such as public participation, devolved governance, fundamental freedoms, and legal clarity, while also demanding remedies for failures in responding to legal obligations and rights violations by the Respondents.</p>
(6)	<p><b>Nairobi Court of Appeal Civil Appeal No. E175 of 2024</b></p> <p><i>Senate –vs- Okiya Omtatah Okioti and Eliud Karanja Matindi and 54 Others</i></p>	<p>The Appeal sought declarations affirming the role of the <b>Senate in money bills</b>, including the necessity of concurrence between the Speakers of both Houses, Senate involvement in financial legislation affecting counties, and adequate funding for constitutional commissions and the constitutional mandate of the Senate. The Appeal was withdrawn.</p>
(7)	<p><b>Kiambu High Court Constitution and Human Rights Petition (Civil) No. E007 of 2024</b></p> <p><i>Francis Muruthindegwa –vs- State Law and IEBC Selection Panel</i></p>	<p>The Petitioner challenges the constitutional and legal propriety of the actions taken in relation to the report of the <b>National Dialogue Committee</b>, focusing on adherence to constitutional principles, doctrines and procedures.</p>
(8)	<p><b>Nairobi Court of Appeal Civil Appeal No. E230 of 2024</b></p> <p><i>National Assembly and Leader of Minority Party in The National Assembly –vs- Okiya Omtatah Okioti, Parliamentary Service Commission, PJS and 3 Others</i></p>	<p>An appeal against the entire ruling and orders delivered on 13<sup>th</sup> February 2023 in Nairobi High Court Petition Number E469 of 2022. E469 of 2022 was one challenging the constitutionality and legality of the <b>Parliamentary Service Act No. 22 of 2019</b> and Section 2(1)(d) of the <b>Public Finance Management Act, 2012</b>.</p>
(9)	<p><b>Naivasha High Court Constitution and Human Rights Petition (Civil) E001 of 2024</b></p> <p><i>Francis Oliele, John Onono and 1 Other –vs- The Sports Registrar, State Law and 3 Others</i></p>	<p>The petitioners seek constitutional remedies, including declarations, injunctive relief, and judicial review, to address alleged violations of constitutional rights and principles, challenge the legality and constitutionality of certain provisions of the <b>Sports Act</b> and enforce compliance with the Constitution of Football Kenya Federation regarding electoral processes and term limits.</p>

S/No.	Case Number & Parties	Summary of Issues
(10)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E186 of 2024</b></p> <p><i>The Law Society of Kenya -vs- State Law, The National Assembly And 1 Other</i></p>	<p>The petitioner seeks declarations and orders to quash Clauses 7 and 9 of the <b>Statutory Instruments (Amendment) Bill, 2024</b>, on grounds that they violate constitutional principles, including the rule of law, separation of powers, judicial authority, public participation, good governance, transparency, and accountability, and to prevent retroactive abrogation of vested rights.</p>
(11)	<p><b>Eldoret High Court Constitution and Human Rights Petition (Civil) E008 of 2024</b></p> <p><i>James Muriithi Gathaiya -vs- State Law, National Assembly and 3 Others</i></p>	<p>The Petitioner argued that the <b>Small Claims Court Act</b> and its provisions fail to provide adequate scope for claims, procedural transparency, adherence to standard evidence rules and proper requirements for personal injury claims, hindering expeditious and accessible justice.</p>
(12)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E250 of 2024</b></p> <p><i>Okiya Omtatah Okoiti and 2 Others -vs- National Assembly of Kenya and 3 Others</i></p>	<p>The petitioners challenged the process of enactment of the <b>Finance Act, 2024</b> by the National Assembly before passing the <b>Appropriation Act, 2024</b>, arguing that this is unconstitutional, unlawful and violates various constitutional provisions and the Public Finance Management Act. The petition was dismissed.</p>
(13)	<p><b>Nakuru High Court Constitution and Human Rights Petition (Civil) E014 of 2024</b></p> <p><i>Dr. Magare Gikenyi J.Benjamin, Eliud Matindi And 2 Others -vs- Hon. Attorney-General, Public Service Commission And 4 Others</i></p>	<p>The Petitioners impugn the constitutional validity of the following provisions in the <b>National Government Coordination Act Cap 127, Laws of Kenya</b> as enacted by the <b>National Government Administration Laws (Amendment) Act, 2024</b>. Specifically, they contended that the creation of the offices of Chief Administrative Secretary (CAS) and Head of Public Service as public offices is unconstitutional.</p> <p>The Matter is ongoing with the Hearing date scheduled for 7th April, 2025.</p>

S/No.	Case Number & Parties	Summary of Issues
(14)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E267 of 2024</b></p> <p><i>Abdulkhikim Dahir Sheikh and Omar Faruk Maalim -vs- State Law and The National Assembly</i></p>	<p>The petition sought to nullify the <b>Indemnity Act</b> in its entirety for being unconstitutional, arguing that it unjustifiably limits access to justice for acts committed between 25<sup>th</sup> December, 1963 and 1<sup>st</sup> December, 1967 and violates fundamental rights to equality, dignity, and access to justice as enshrined in Articles 27, 28, and 48 of the Constitution.</p>
(15)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E307 of 2024</b></p> <p><i>Law Society of Kenya -vs- Hon Attorney General, The Speaker of the National Assembly, The Clerk of the National Assembly and 4 others</i></p>	<p>The petitioner seeks a declaration that the issuance and publication of Gazette Notice No. 7861 of 25<sup>th</sup> June 2024 by the Attorney General violated various constitutional provisions and sections of the <b>Kenya Defence Forces Act</b>, rendering it unconstitutional, illegal and void.</p>
(16)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E340 of 2024</b></p> <p><i>Peter Odhiambo Agoro, Antony Murimi and Augustine Muthui - vs- State Law Office, Independent Electoral and Boundaries Commission &amp; Another</i></p>	<p>The petition sought declarations that IEBC violated the rights of the people of Banissa Constituency by failing to conduct a by-election within the stipulated time, and challenged non adherence to two-thirds gender principle by Parliament. They sought a declaration that the National Assembly is unconstitutionally constituted and sought an order restraining the National Assembly from further activities until the case is resolved.</p>
(17)	<p><b>Nairobi Court of Appeal Civil Appeal Application No. E565 of 2024</b></p> <p><i>Ministry of Health -vs- Joseph Enock Aura, The Digital Economy in Kenya &amp; 11 Others</i></p>	<p>The appellant argued that the learned Judges erred in law and fact by setting overly stringent requirements for public participation under Articles 10 and 118 of the Constitution, disregarding existing public participation during the legislative process, misinterpreting the constitutional role of parliamentary procedures, and issuing directives that undermine enacted <b>health laws</b>, hindering the realization of the constitutional right to health under Article 43 of the Constitution. The injunction was issued and the matter is ongoing.</p>

S/No.	Case Number & Parties	Summary of Issues
(18)	<p><b>Nairobi Court of Appeal Civil Appeal No. E585 of 2024</b>  <i>Independent Electoral and Boundaries Commission –vs- Free Kenya Initiative and Bob Njagi</i></p>	<p>An appeal for the setting aside of the judgment of the High Court in Petition E160 of 2022 as consolidated with Petitions E219, E225 and 12 of 2022 that sought declarations that certain sections of the <b>Elections (General) Regulations, 2012</b> were inconsistent with the Constitution, should be struck out and that the Political Parties Act needed to be amended to cater for independent candidates.</p>
(19)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E435 of 2024</b>  <i>Consumer Federation of Kenya – vs-National Assembly and Kenya Urban Roads Authority And 8 Others</i></p>	<p>The petition challenged the imposition of toll charges on taxpayer-funded roads and sought to prohibit the diversion of <b>Road Maintenance Levy funds</b> from their intended purpose.</p>
(20)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E423 of 2024</b>  <i>Issa Elanyi Chemao –vs- National Assembly and 7 others</i></p>	<p>The petitioner challenged the classification of public roads and the allocation of <b>Road Maintenance Levy Fund (RMLF)</b> as unconstitutional, seeking declarations to uphold devolution, orders to amend relevant laws to align with the Constitution, and directives for county governments to be reinstated as beneficiaries of RMLF funds.</p>
(21)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E498 of 2024</b>  <i>Jackson –vs- State Law Office and National Assembly And 3 Others</i></p>	<p>A constitutional petition challenging the validity of the Fifteenth Schedule of the <b>Public Procurement and Asset Disposal Regulations 2020</b>, seeking a declaration that it is unconstitutional along with an order of permanent injunction to restrain its operation and implementation.</p>

S/No.	Case Number & Parties	Summary of Issues
(22)	<p><b>Mombasa High Court Constitution and Human Rights Petition (Civil) E051 of 2024</b></p> <p><i>Kenya Ships Agents Association – vs- The Cabinet Secretary, Ministry of Mining Blue Economy and Maritime Affairs &amp; Kenya Maritime Authority And 2 Others</i></p>	<p>The petitioners sought orders suspending the implementation of <b>the Merchant Shipping (Maritime Labour) Regulations 2024</b>, the Merchant Shipping (Prevention of Collision) Regulations 2024, the Merchant Shipping (Maritime Transport Operators) Regulations 2024 and the associated tariff framework, the Merchant Shipping (Load Lines) Regulations 2024, the Merchant Shipping (Tonnage Measurement) Regulations 2024, and the Merchant Shipping (Recognized Organizations) Regulations 2024.</p>
(23)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E521 of 2024</b></p> <p><i>Okiya Omtatah Okoiti –vs- The Cabinet Secretary of Health</i></p>	<p>The petition challenged the constitutional and legal validity of the procurement and award by the Government of Kenya through the Ministry of Health to the Safaricom Consortium for the provision of an Integrated Healthcare Information Technology System, as well as the rolling out of the <b>Social Health Insurance Fund (SHIF)</b> using subsidiary legislation annulled by the Senate, alleging violations of several constitutional provisions and relevant Acts, including <b>the Digital Health Act, Social Health Insurance Act, Public Procurement and Asset Disposal Act, Public Private Partnerships Act, and Statutory Instruments Act.</b></p>
(24)	<p><b>Nairobi High Court Constitution and Human Rights Petition (Civil) E546 of 2024</b></p> <p><i>Michael Mutembei Kibutha and Peter Odhiambo Vs State Law Office and National Assembly</i></p>	<p>The petitioners pray for a declaration to be issued that <b>Section 87 of the Security Laws Amendment Act, 2014</b> is inconsistent with the Constitution with a conservatory order suspending the section pending hearing, and an order compelling the National Assembly to amend or repeal the section to align with the Constitution.</p>

S/No.	Case Number & Parties	Summary of Issues
(25)	<b>Nairobi High Court Constitution and Human Rights Petition (Civil) E617 of 2024</b> <i>The Law Society of Kenya Vs The Cabinet Secretary, National Treasury &amp; Economic Planning</i>	The petitioner sought declarations that the <b>Threshold Programme Grant Agreement</b> did not undergo the proper ratification process.
(26)	<b>Nairobi Court of Appeal Civil Appeal E907 of 2024</b> <i>National Assembly and Speaker of The National Assembly-vs- Orange Democratic Movement, Gitahi Ngunyi and 3 Others</i>	The National Assembly appealed the decision of the High Court declaring the <b>Privatization Act</b> as unconstitutional for lack of adequate public participation, misinterpreting public participation requirements, and improperly limiting the discretion of the National Assembly in the process.
(27)	<b>Malindi High Court Constitution and Human Rights Petition (Civil) E024 of 2024</b> <i>Munyu Cooperative Savings and Credit Society Ltd, Patanani Self Help Group And 5 Others Vs National Assembly, Water Resources Authority And 2 Others</i>	The petitioner sought declarations that the imposition of water use charges by the Water Resource Authority on salt harvesting companies in Kilifi County, under <b>Regulation 84 of the Water Resources Regulations, 2021</b> , is unconstitutional and violates several provisions of the Constitution, as well as an order prohibiting the implementation of such charges.

Table 3.18 – Summary of cases handled by the Directorate of Litigation and Compliance Services

### 3.7.7 Contracts

The Directorate was instrumental in drafting and reviewing eighteen (18) contracts and agreements to ensure the interests of the National Assembly are upheld within the law. These include service and maintenance contracts, conveyancing under the Parliamentary Mortgage and Car Loan Schemes, training agreements, contracts relating to auctioneering and valuation services, general insurance and medical insurance services. Some of the agreements and contracts were –

- (a) Contract for provisions of service maintenance of photocopying machine and photocopy consumable;
- (b) Contract for provisions of group car loan insurance cover for the National Assembly for 2024-25;
- (c) Contract for supply and Delivery of Utility Vehicles;
- (d) The contract for supply, delivery and installation of broadcast equipment components;
- (e) Contract for provision of group mortgage Life Insurance under the Parliamentary Mortgage Scheme Fund;

- (f) Contract for provision of domestic insurance under the Parliamentary Mortgage Scheme Fund;
- (g) Contract for provisions, delivery and supply of installation of Case and Contract System;
- (h) Contract for provisions, delivery and supply of inventory management system and assets targeting for the National Assembly;
- (i) Contract for provisions, delivery and supply of installation and commissioning of fleet management system;
- (j) Contract for design, provisions, delivery and supply of hospitality services staff uniform;
- (k) Contract for provisions of laundry and dry cleaning services;
- (l) Contract for provisions audit of the accounts for the office of the Auditor General ;
- (m) Contract for provisions, delivery and supply of hospitality services and operating equipment; and
- (n) Contract for provisions, delivery and supply of Fuel Lubricants, pit stop services and basic vehicles accessories using fuel card system.

### **3.7.8 Legal advisory and Committee support**

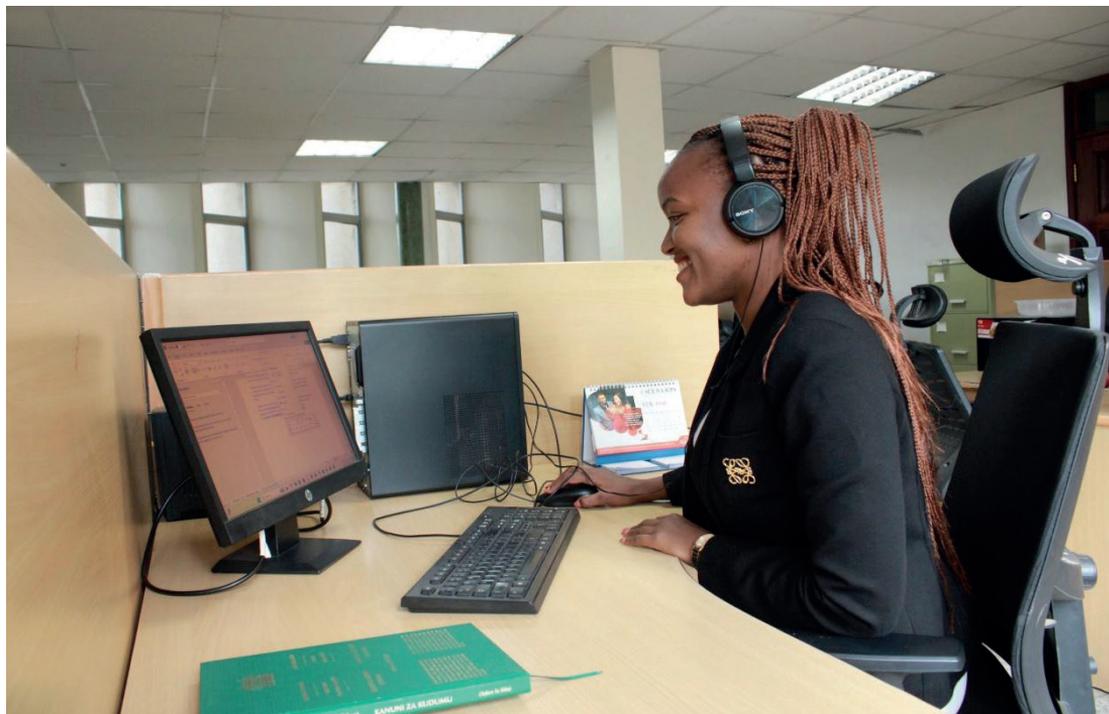
The Directorate offered legal advice on a range of management and administrative matters. Additionally, the Directorate provided legal advice to all the House committees, including but not limited to the House Business Committee, the Liaison Committee, the National Assembly General Legislative Caucus, the Committee of Powers and Privileges, the Public Debt & Privatization Committee and the Committee on Delegated Legislation.

## **3.8 THE DIRECTORATE OF HANSARD AND AUDIO SERVICES**

The Directorate of Hansard and Audio Services is mandated under Standing Order 248 to facilitate parliamentary business by publishing verbatim reports of all proceedings of the House, and committees of the House where evidence is taken.

During the Session, the Directorate undertook digital recording and transcription of one hundred and twenty-three (123) plenary and one thousand one hundred and thirty-two (1,132) committee sittings, editing, and publication of Hansard Reports. The Directorate also recorded proceedings of eleven (11) sittings of the Ad Hoc Select Committee that investigated the proposed dismissal of Hon. Mithika Linturi as the Cabinet Secretary for Agriculture and Livestock Development, and fourteen (14) mediation committees on Bills.

As part of public access to information, the Directorate availed Hansard Reports to various stakeholders including government ministries, departments and agencies, civil society organisations and Non-Governmental Organisations (NGOs).



*Figure 28 -A Hansard Officer transcribing Parliamentary proceedings*

The Directorate undertook indexing Hansard Reports for one hundred and twenty-three (123) sittings, storage and archiving audio recordings of one hundred and twenty-three (123) Plenary and two thousand one hundred and ninety (2190) Committee sittings. Additionally, the Directorate assisted in the translation from English to Kiswahili of three (3) Motions and a Statement.

During the Session, the Directorate participated in the following activities in line with PSC Strategic Pillar II on Excellence in Service Delivery –

- (a) The Kiswahili International Conference and Kiswahili Day Celebrations held from 5<sup>th</sup> to 7<sup>th</sup> July 2024, at Moi University in Eldoret which underscored the importance of Kiswahili in social, economic, political and scientific progress of African nations;
- (b) The 6<sup>th</sup> Annual Hansard Association of Kenya (HAK) Conference held from 1<sup>st</sup> to 6<sup>th</sup> April 2024 in Naivasha. The Conference sought to deepen staff understanding of parliamentary procedures while exploring the impact of emerging innovations and technologies; and
- (c) The Inaugural East Africa Parliamentary Hansard Editors Association Conference held from 17<sup>th</sup> to 20<sup>th</sup> July 2024 in Moshi, Tanzania.

### 3.9 THE PARLIAMENTARY BUDGET OFFICE

During the Session, the Directorate of Parliamentary Budget Office undertook the following activities –

#### 3.9.1 Processing of Legislative Proposals

##### (i) Money Bill Determination

The Directorate received forty-nine (49) legislative proposals for money Bill determination. Seventeen (17) Bills were on new legislation while thirty-two (32) were proposals to amend existing Acts of Parliament.

Following review, thirty-four (34) Bills were certified as money Bills and fifteen (15) as non-money Bills.

##### (ii) Costing of legislative proposals

The Directorate analysed economic and financial implications of forty-one (41) legislative proposals for consideration by the Budget and Appropriations Committee. The analysis assisted the Committee to make appropriate recommendations to the Speaker on the costing of the proposals.

#### 3.9.2 Technical support to Committees

The Directorate provided technical support through availing thirty-six (36) briefs to the –

- (a) Public Accounts Committee where analytical reports on audit issues relating to financial statements for various MDAs were provided;
- (b) Public Investment Committee by providing analytical reports on audit issues on financial statements for various State Corporations; and
- (c) Special Funds Account Committee by providing briefs to guide review of National Government Constituencies Development Fund (NGCDF) and other funds accounts.

Additionally, the Directorate supported twenty (20) Departmental Committees by providing briefs on –

##### (a) Unpacking and briefing on the 2024 Budget Policy Statement

The Directorate provided analysis of the policies meant to sustain Kenya's economic growth under a backdrop of the prevailing macroeconomic framework. The analysis informed Members on the various policies that require budgetary allocation over the medium term to harness the national agenda. It also provided information on the budgetary allocation ceilings for Financial Year 2024/2025.

The Directorate provided twenty-one (21) analytical review reports on the 2024 Budget Policy Statement (BPS) and the Medium Term which were presented to Departmental Committees of the National Assembly. The briefs provided critical input to the Budget & Appropriation Committee on its BPS report.

##### (b) Review of the Annual Estimates of Revenue and Expenditure and Supplementary Estimates I for Financial Year 2024/2025

The Directorate unpacked and presented reports to the Budget and Appropriation Committee on the Annual Estimates and the Supplementary

Estimates I for Financial Year 2024/2025. The Directorate provided twenty (20) analytical reports and briefs reviewing estimates of revenues and expenditures to Departmental Committees. Further, in the consideration of the estimates, the Office provides technical support during engagements between Departmental Committees and the Ministries, Departments and State Agencies. This served to inform the Committees during the review, amendment, and approval of the expenditure proposals of the National Government for the Financial Year 2024/2025. Additionally, the Office also supported the consideration of the Supplementary Estimates II of Financial Year 2023/2024.

### (c) **Budget Implementation Oversight Briefs**

In fulfilment of the oversight mandate of the National Assembly, the Directorate provided analytical briefs to Departmental Committees on budget implementation.

### **3.9.3 Review and briefing on Bills**

The Directorate reviewed and presented briefs on various Bills under consideration during the Session including –

- (i) The Division of Revenue Bill (National Assembly Bill No. 14 of 2024);
- (ii) The Finance Bill (National Assembly Bill No. 30 of 2024);
- (iii) The County Allocation of Revenue Bill (Senate Bill No. 25 of 2024);
- (iv) The Supplementary Appropriation Bill (National Assembly Bill No. 32 of 2024);
- (v) The Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2024);
- (vi) The County Government Additional Allocation Bill (Senate Bill No. 19 of 2024); and
- (vii) The Tax Procedures (Amendment) (No.2) Bill (National Assembly Bill No. 46 of 2024).

### **3.9.4 Review and analysis of the 2024 Medium Term Debt Strategy and Dissemination**

The Directorate undertook evaluation of the borrowing strategy for Financial Year 2024/2025 and the Medium Term. The factors considered in the analysis included Kenya's stock of debt, evaluation of costs and risks on the existing debt and potential borrowing and the new debt to finance the deficit vis-à-vis the debt ceiling. The analysis report was presented to the Public Debt and Privatization Committee.

### **3.9.5 Publications**

During the period under review, the Directorate prepared several publications which assisted Committees to develop sector expenditure options and hold the government to account. The publications were instrumental in informing the public on the budget related matters. The publications include:

- (a) **Budget Options:** The Directorate published the Budget Options for Financial Year 2024/2025 themed "*Debt Anchor vs. Economic growth: Walking the tight rope*";

- (b) **Budget Watch 2024/2025:** The 17<sup>th</sup> Edition of the Budget Watch for Financial Year 2024/2025 and the Medium Term themed “Building Economic Resilience” provided the basis for monitoring the budget. The Budget Watch enriches the oversight role of the Legislature and informs stakeholders on the management of public resources; and
- (c) **The Budget Explainer for Financial Year 2024/2025:** The publication is a summary of the approved budget highlighting key spending priorities in the National Government for the period under review. It enhances transparency, accountability and public participation in the budget process.

The three (3) publications were made available to the committees and the public in line with the provisions of section 10 of the Public Finance Management Act, Cap. 412A and may be accessed on <https://tinyurl.com/nha23yww> for the Budget Options, <https://tinyurl.com/2jvjcakb> for the Budget Watch, and <https://tinyurl.com/53zfhxu3> for the Budget Explainer.

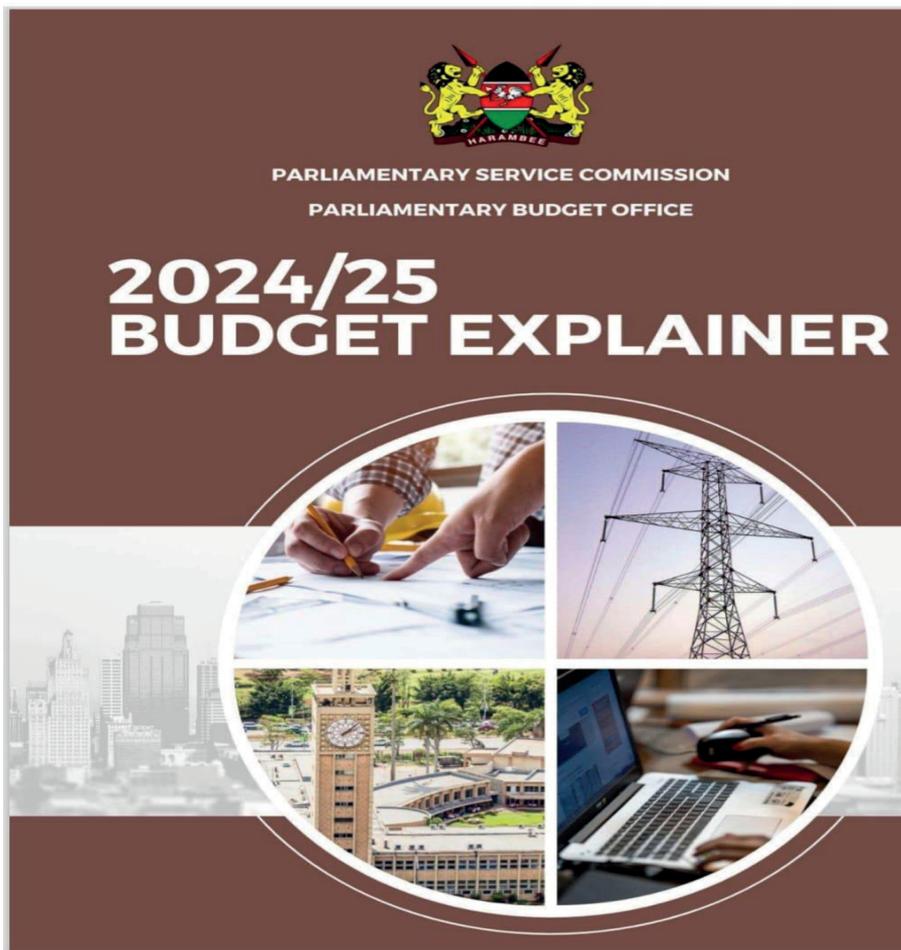


Figure 29 - The 2024/2025 Budget Explainer published by the Parliamentary Budget Office

### 3.10 THE DIRECTORATE OF SERJEANT-AT-ARMS

#### (1) Plenary and Committees Support

The Directorate supported the one-hundred and twenty-three (123) plenary sittings through facilitating the Speaker's procession, safe custody of the Mace and Members' firearms and enforcement of Speaker's rules and orders. Additionally, the Directorate facilitated two thousand, one hundred and ninety (2190) committee sittings.



*Figure 30 -Serjeant-at-Arms leading the Speakers procession to the chamber on Tuesday, 8<sup>th</sup> October 2024*

#### (2) Estate Management

The Directorate managed the parliamentary estate through allocation of office space, furniture and equipment to Members of Parliament and staff, and supervision of various service providers. The Directorate managed security of Members and access control to Parliamentary precincts.

#### (3) Parliamentary Events

The Directorate facilitated various events including –

- (a) The official opening of the Bunge Tower by His Excellency the President on 25<sup>th</sup> April 2024 and facilitated the allocation of offices, relocation of Members of Parliament and distribution of office furniture and equipment;
- (b) The 21<sup>st</sup> National Prayer Breakfast held on 30<sup>th</sup> May 2024 in Nairobi;

- (c) Pronouncement of Budget Highlights for the Financial Year 2024/2025 on 13<sup>th</sup> June 2024; and
- (d) State of the Nation Address by His Excellency the President on 21<sup>st</sup> November 2024.

#### **(4) Other Activities**

The Directorate facilitated other activities during the Session including –

- (a) Attendance of Members of Parliament to the Labour Day Celebrations on 1<sup>st</sup> May 2024 at Uhuru Gardens, Nairobi, the 61<sup>st</sup> Madaraka Day Celebrations on 1<sup>st</sup> June 2024 in Narok County, Mashujaa Day Celebrations on 20<sup>th</sup> October 2024 in Kwale County, and the 60<sup>th</sup> Jamhuri Day Celebrations on 12<sup>th</sup> December 2024 at Uhuru Gardens, Nairobi County; and
- (b) The laying of wreaths at the Mausoleum by visiting Heads of States from Romania, Italy, Iran, Indonesia, and Angola.

### **3.11 THE HOSPITALITY DEPARTMENT**

The Department provides catering services to both sitting and former Members of Parliament, Leadership Offices, Committees, visiting delegations. The Department also serves guests during formal events such as State of the Nation Address, and Pronouncement of Budget Highlights in Parliament.

#### **3.11.1 Milestones of the Hospitality Department**

##### **(a) Food Safety and Quality Control**

During the Session, the Department strengthened food safety protocols through regular supply re-inspections, trained Ad Hoc Inspection officers and ensured 100% medical compliance for the department's food handlers. Concurrently, six (6) specialized training programs which are critical steps toward ISO certification were conducted to advance staff skills, focusing on supervisory management, customer service excellence, and culinary standards.

##### **(b) Improvement of the Main Dining Facility**

During the Session, renovations were done to improve operational capacity, modernize infrastructure, ensure regulatory compliance and provide an enhanced customer experience. Key upgrades included the redesign of customer service areas, modernization of the restaurant space, installation of energy-efficient systems and installation of a motorised wheelchair ramp for accessibility by PWDs.

#### **3.11.2 Other Activities**

The Department provided hospitality services during the following events –

- (a) East African Legislative Assembly Plenary Sessions from 3<sup>rd</sup> to 20<sup>th</sup> March 2024;
- (b) Official Opening of Bunge Tower by H.E the President of Republic of Kenya on 19<sup>th</sup> April 2024; and
- (c) Pronouncement of the Budget Highlights by the Cabinet Secretary for National Treasury and Economic Planning on 13<sup>th</sup> June 2024.

### 3.12 LIAISON AND AUXILIARY SERVICES DELIVERY UNIT

The Liaison and Auxiliary Services Delivery Unit provides supervisory roles in execution of services that are either shared among the three services or whose implementing body is not precisely provided for within the existing structures of the Commission.

#### 3.12.1 Office Space Management

Under the Unit, the Office Space Management Committee has undertaken various activities within the session as follows-

- (a) Allocation and standardization of Offices to Members of Parliament;
- (b) Developed criteria for the allocation of offices within Parliament buildings;
- (c) Facilitated the allocation of offices based on the developed criteria;
- (d) Facilitated the allocation of offices of sixty-seven (67) Members who were previously operating from leased offices to accommodate them within Parliament Square and other buildings leased by the Commission;
- (e) Standardized offices of Members based on their leadership roles in the House in terms of the nature of the office, furniture, equipment, and plinth area; and
- (f) Rationalised and allocated office space to accommodate staff.

By the end of the Third Session, all Members of Parliament had been allocated office space within Main Parliament Buildings, County Hall, Kenyatta International Convention Centre (KICC), Harambee House, Continental House and Bunge Tower.

#### 3.12.2 Designation of parking spaces and Crowd Control at Bunge Tower

The Unit designated two hundred and sixty-two (262) parking slots for Members allocated offices in the Bunge Tower. This was to facilitate seamless access and parking of Members within Parliament precincts.

The Unit recommended measures for crowd control at the Bunge Tower given the high number of visits to the building. Some of the recommendations which were consequently approved include provision of dedicated lifts for each floor and a waiting area for visitors.

## CHAPTER 4 - PROCEDURAL DEVELOPMENTS AND NOTABLE OCCURRENCES

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### 4.1 Introduction

This Chapter details the procedural developments and notable occurrences noted in the House during the period under review. Some of the key procedural developments noted during the Session include –

- (a) Removal from Office by Impeachment of a Deputy President; and
- (b) Nomination of a Person to Fill the Vacancy of the Office of the Deputy President.

Additionally, some of the notable occurrences during the Session include –

- (a) Special Motion for Dismissal of a Cabinet Secretary;
- (b) Consideration of President’s Reservations to the Finance Bill (National Assembly Bill No. 30 of 2024);
- (c) Vetting of Dismissed Cabinet Secretaries renominated to Cabinet;
- (d) Exit Speeches by Members approved for appointment as Cabinet Secretary ;
- (e) Committal of a Petition to a Committee other than the Public Petition Committee; and
- (f) Committal of a Bill to a Committee other than a Departmental Committee.

### 4.2 Key Procedural Developments

#### 4.2.1 Removal from Office by Impeachment of a Deputy President

During the Session, the House undertook the process for the removal of the Deputy President. This was the first time a Deputy President was being removed from office by impeachment under the 2010 Constitution. The House processed the Motion of the removal of the Deputy President as follows:

##### Notice of Motion and Signatures

On 1<sup>st</sup> October 2024, the Speaker issued a Communication conveying that he had received a Notice of Motion by Hon. Eckomas Mwangi Mutuse seeking the resolution of the House to remove from office by impeachment of H.E Rigathi Gachagua. In the Communication, the Speaker observed that the Notice of Motion had met the requirements relating to form, threshold and grounds set out in Articles 145(1) and 150(1)(b) of the Constitution and Standing Orders 64(1) and 65. The Notice for the Special Motion was based on eleven (11) grounds as summarised below –

- (1) Gross Violation of Articles 10 (2) (a), (b) and (c); 27 (4), 73 (1) (a) and (2) (b); 75 (1)(c), and 129 (2) of the Constitution and Articles 147 (1), as read with Article 131 (2) (c) and (d) of the Constitution;
- (2) Gross Violation of Articles 147 (1) and 152 (1) of the Constitution by undermining the President and the Cabinet and the effective discharge of the national government’s executive mandate;
- (3) Gross Violation of Articles 6 (2), 10 (2) (a), 174, 186 (1), 189 (1) and the Fourth Schedule to the Constitution by undermining Devolution;
- (4) Gross Violation of Article 160 (1) of the Constitution by undermining the Institutional and Decisional Independence of Judges;

- (5) Gross Violation of Articles 3 (1) and 148 (5) (a) of the Constitution by breaching his Oath of Office and Allegiance;
- (6) Serious reasons to believe that H.E. the Deputy President has committed crimes under sections 13 (1) (a) and 62 of the National Cohesion and Integration Act;
- (7) Serious reasons to believe that H.E. the Deputy President has committed gross economic crimes, under sections 45 (1), 46, 47A (3), and 48 (1) of the Anti-Corruption and Economic Crimes Act and sections 2, 3, 4, and 7 of Proceeds of Crime and Anti-Money Laundering Act;
- (8) Serious reasons to believe that H.E. the Deputy President has committed crimes by continuously misleading members of the public through false, malicious, divisive and inciteful remarks that are contrary to the provisions of section 132 of the Penal Code and section 29 of the Leadership and Integrity Act;
- (9) Gross Misconduct that is incompatible with the high calling and dignified status of the Office of the Deputy President and member of the Cabinet and the National Security Council;
- (10) Gross Misconduct by openly or publicly insubordinating the President, who is the Head of State and Government; and
- (11) Gross Misconduct by persistently bullying state and public officers.

The Notice of Motion was signed by two hundred and ninety-one (291) Members in support, which was above the minimum threshold of one hundred and seventeen (117) provided for in the Constitution. The Notice of Motion was therefore approved for consideration by the House. Consequently, the Notice of Motion was given on 1<sup>st</sup> October 2024.

Following the Notice of Special Motion, several Members raised a number of procedural concerns as summarized hereunder –

- (a) Calculation of the number of Members required to meet the voting thresholds that apply to the impeachment of a Deputy President;
- (b) Whether the House shall conduct Public Participation in its consideration of the Motion, and if so, the modalities of such an exercise;
- (c) The right of the Deputy President to be afforded an opportunity to be heard; and
- (d) Security arrangements for Members of Parliament.

To address the procedural concerns, raised by Members, the Speaker convened a meeting of the House Business Committee to deliberate on the next steps to be taken and thereafter issued a Communication to the House ([Communication No. 47 of 2024](#))



Figure 31 - Member for Kibwezi West, Hon. Mwangi Mutuse, OGW issuing the notice of the Special Motion on the removal from office by impeachment of the Deputy President on Tuesday, 1<sup>st</sup> October 2024

### Role of House Business Committee

It is observed that unlike consideration of similar Special Motions like removal of a Cabinet Secretary, in the removal of a Deputy President, the Constitution and the Standing Orders does not provide room for committal to a Committee or constitution of an Ad Hoc Committee. In this regard, the House Business Committee spearheaded the process leading to the consideration of the Special Motion by the House. The House Business Committee recommended to the House

- (i) A programme for public participation on the Special Motion;
- (ii) A Public Views Template to guide the process of collecting views during public participation;
- (iii) Suspension of all other business until conclusion of the consideration of the Special Motion;
- (iv) That public participation be undertaken in each constituency coordinated at a designated venue in the forty-seven (47) counties;
- (v) That the Members from each county to designate one Member to coordinate the public participation exercise;
- (vi) That in adherence to the principles of natural justice, the Deputy

- President be given an opportunity to appear (either in person, through a representative or both) before the House to present his defence to the allegations and be heard on the afternoon sitting of 8<sup>th</sup> October 2024;
- (vii) The suspension of the sitting of Thursday, 3<sup>rd</sup> October 2024 and holding a morning sitting on Tuesday, 8<sup>th</sup> October 2024 and commencing an early afternoon sitting on the same day to consider the Special Motion and suspending any other activity of the House during that period; and
  - (viii) That in addition to the Mover and each Member speaking, the Deputy President be allocated time for his defense; and
  - (ix) That the Speaker convenes a forum on 2<sup>nd</sup> October 2024 for Members to be taken through the public participation roadmap and entire process of consideration of the Special Motion.

### **Public Participation**

The public participation exercise was conducted from Friday, 4<sup>th</sup> October to Saturday, 5<sup>th</sup> October 2024, in the two hundred and ninety (290) Constituency Offices and the forty-seven (47) County Women Representatives Offices. This exercise included both physical and electronic submission of views via a Public Views Template which was provided in both Kiswahili and English.

The public was notified and sensitized on the public participation exercise through newspapers, television, radio and social media to submit their views to the Clerk through email or by hand delivery. To facilitate the hand delivery of public views, the Clerk designated a place within Parliament Square that members of the public could access with ease and submit their views.

At the end of the exercise at the constituency level, 188,610 views were received. Notwithstanding the use of a Public Views Template, thirty-eight thousand and sixty-five (38,065) submissions were received through the Clerk's office and other means including email, hand delivery, affidavits and memoranda.

The report on the public participation was tabled in the House during the morning sitting of 8<sup>th</sup> October 2024 by the Hon. Millie Odhiambo-Mabona, a Member of the House Business Committee, who provided a highlight of the content of the report.



*Figure 32 -Residents of Soy Constituency, Uasin Gishu County giving their views on the Special Motion on the proposed removal from office by impeachment of the Deputy President on Saturday, 5<sup>th</sup> October 2024*

### **Consideration of the Special Motion**

The Special Motion was moved by the Member for Kibwezi West Constituency (Hon. Eckomas Mwengi Mutuse) and seconded by Member for Kilifi North (Hon. Owen Baya) on 8<sup>th</sup> October 2024. During the consideration of the Special Motion, the Deputy President appeared in the House to present his defence against the grounds in the Special Motion. At the conclusion of debate, a vote was taken on the Special Motion, and not the eleven grounds, in accordance with Article 145 of the Constitution. The Special Motion was passed with two hundred and eighty-two (282) votes in favour, forty-four (44) against, and one (1) abstention.



*Figure 33 - The Deputy President H.E Hon. Rigathi Gachagua, EGH making his submissions to the House on the Special Motion for his proposed removal from office by impeachment on Tuesday, 8<sup>th</sup> October 2024*

## Transmission of the resolution of the House to Senate

Following the passage of the Motion by the House, the matter was referred to the Senate in the form of a Message for consideration pursuant to Articles 145(2) and 150 of the Constitution. The Message was accompanied by the following twenty-six (26) documents –

- (1) Notice of the Special Motion;
- (2) Electronic evidence relating to the Special Motion contained in a flash disk;
- (3) Order Papers for 1<sup>st</sup> October 2024;
- (4) Communication from the Chair No. 046 of 2024 issued on Tuesday, 1<sup>st</sup> October 2024;
- (5) Communication from the Chair No. 047 of 2024 issued on Tuesday, 1<sup>st</sup> October 2024;
- (6) Certified Hansard and Votes and Proceedings of 1<sup>st</sup> October 2024;
- (7) Communication from the Chair No. 048 of 2024 issued on 2<sup>nd</sup> October 2024;
- (8) Letters of Appointment of Advocates;
- (9) Letter to H.E. the Deputy President forwarding the Notice of Motion;
- (10) Affidavit of Service on H.E. the Deputy President;
- (11) Order Paper for 2<sup>nd</sup> October 2024;
- (12) Certified Hansard and Votes and Proceedings for 2<sup>nd</sup> October 2024;
- (13) Public participation advertisements of 2<sup>nd</sup> October 2024;
- (14) Public participation advertisements of 3<sup>rd</sup> October 2024;
- (15) Public Views Template (English & Kiswahili);
- (16) Memo to Constituency/ County Office Managers dated 4<sup>th</sup> October 2024;
- (17) Public participation advertisements of 4<sup>th</sup> October 2024;
- (18) Order issued by the High Court sitting at Kerugoya on Friday, 4<sup>th</sup> October 2024;
- (19) Press Statement by the Clerk of the National Assembly on Extension of Public Participation issued on 4<sup>th</sup> October 2024;
- (20) Public participation advertisements of 5<sup>th</sup> October 2024;
- (21) Public Participation Report tabled on 8<sup>th</sup> October 2024;
- (22) Response to the Notice of Special Motion from H.E. the Deputy President received on 8<sup>th</sup> October 2024 at 4.00 p.m.;
- (23) Electronic evidence by H.E. the Deputy President relating to the Special Motion contained in a flash disk;
- (24) Order Paper for 8<sup>th</sup> October 2024;
- (25) Communication from Chair No. 049 of 2024 issued on 8<sup>th</sup> October 2024; and
- (26) Certified Hansard and Votes and Proceedings for 8<sup>th</sup> October 2024.



*Figure 34 - Serjeant-at-Arms loading evidence submitted in the National Assembly on the proposed removal from office by impeachment of the Deputy President for delivery to the Senate on Monday, 14<sup>th</sup> October 2024*

### Message from the Senate

On 18<sup>th</sup> October 2024, the Speaker reported to the House a Message from the Senate conveying that the Senate had investigated the proposed removal from office by impeachment of the Deputy President in accordance with Article 150(1)(b) and (2) as read together with Article 145 of the Constitution. The Senate had approved impeachment having upheld the following five out of the eleven charges –

- (1) Gross Violation of Articles 10(2)(a), (b) and (c); 27(4), 73(1)(a) and (2)(b); 75(1)(c), and 129(2) of the Constitution and Articles 147(1), as read with Article 131(2)(c) and (d) of the Constitution;
- (2) Gross Violation of Article 160(1) of the Constitution by undermining the Institutional and Decisional Independence of Judges;
- (3) Gross Violation of Articles 3(1) and 148(5)(a) of the Constitution by breaching his Oath of Office and Allegiance;
- (4) Serious reasons to believe that H.E. the Deputy President has committed crimes under sections 13(1)(a) and 62 of the National Cohesion and Integration Act; and
- (5) Gross Misconduct that is incompatible with the high calling and dignified status of the Office of the Deputy President and member of the Cabinet and the National Security Council.

## 4.2.2 Nomination of a Person to Fill the Vacancy of the Office of the Deputy President

Following the decision of the Houses of Parliament on the Special Motion for removal from office, by impeachment, of H.E Rigathi Gachagua, EGH as the Deputy President of the Republic of Kenya, the President nominated Hon. (Prof.) Kithure Kindiki, EGH to fill the vacancy in the Office of the Deputy President of Kenya pursuant to Article 149 of the Constitution. Upon the notification to the House, the following issues arose regarding the voting process –

- (i) Whether Article 149(1) of the Constitution envisages an approval hearing process in the manner contemplated by the Public Appointments (Parliamentary Approval) Act, Cap. 7F;
- (ii) Whether the House needed to conduct public participation in the voting on the nomination under Article 149(1) of the Constitution;
- (iii) Whether the Members were required to debate on the nomination;
- (iv) The timelines envisaged under Article 149(1); and
- (v) The threshold for voting on the nomination.

The Speaker guided the House as follows on the issues raised-

- (i) On whether the nomination would be considered in the manner contemplated under Public Appointments (Parliamentary Approval) Act, CAP 7F, it was observed that Article 149(1) provides that within fourteen (14) days after a vacancy in the office of the Deputy president, the President shall nominate a person to fill in the vacancy. The National Assembly shall thereafter vote on the nomination within sixty (60) days. In this regard, it was guided that the House needed to vote and not approve the nomination as in the case of the nomination of persons to State and public offices.
- (ii) On whether the House needed to conduct public participation in voting on the nomination, the House was guided by the practice whenever it is confronted with an obligation to vote on a matter as relates to an election, for instance, election of the Speaker and Deputy Speaker, and Members of the East African Legislative Assembly (EALA). The Speaker noted that in such instances the House had always proceeded to vote without public participation. Therefore, the requirement for public participation was not applicable in the vote for nomination under Article 149(1).
- (iii) On whether Members should debate the nomination, the Speaker determined that the vote contemplated in this case was an election and not a Motion and therefore no debate ought to arise.
- (iv) As regards to the timelines for taking the vote, the Speaker guided that the maximum period within which the President and the National Assembly are required to act is provided for in Article 149(1) of the Constitution. Instructively, the President is required to nominate a person to fill the vacancy in the Office of the Deputy President within fourteen (14) days after the vacancy arises while the National Assembly is required to vote on the nomination within sixty (60) days of receiving it. To this extent,

the vote taken by the House on the nomination on 18th October 2024 was within constitutional timelines.

- (v) As regards to the threshold for voting for the nomination under Article 149(1), the Speaker clarified that the Constitution had not defined nor provided for a threshold. However, Article 122(1) provides that except as otherwise provided in the Constitution, any question proposed for decision in either House of Parliament shall be determined by a majority of the members in that House present and voting. Consequently, the threshold for voting on the nomination of Prof. Kithure Kindiki, EGH as Deputy President was a majority of the members present in the House and voting.

The House proceeded to vote on 18<sup>th</sup> October 2024 on the nomination by way of roll call and two hundred and thirty-six (236) Members in favour of approving the nomination of H.E (Prof.) Kithure Kindiki to fill the vacancy in the Office of Deputy President, with no rejections nor abstentions. Following the vote by the House on the nomination, the decision was gazetted and transmitted to His Excellency the President. Subsequently, Prof. Kithure Kindiki, EGH was sworn in as Deputy President of the Republic of Kenya on 1<sup>st</sup> November 2024.

## **SPECIAL ISSUE**



# THE KENYA GAZETTE

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GAZETTE NOTICE No. 13401

THE CONSTITUTION OF KENYA

THE NATIONAL ASSEMBLY

VOTE BY THE NATIONAL ASSEMBLY ON THE NOMINATION OF PROF. KITHURE KINDIKI, E.G.H., TO FILL THE VACANCY IN THE OFFICE OF THE DEPUTY PRESIDENT OF THE REPUBLIC OF KENYA

IT IS notified that, pursuant to Article 149 (1), as read together with Article 122 of the Constitution of Kenya, the National Assembly has, at its sitting held on Friday, 18th October, 2024 in the National Assembly Chamber at the main Parliament Building, voted in favour of the nomination of—

KITHURE KINDIKI (PROF.), E.G.H.,

to fill the vacancy in the Office of the Deputy President of the Republic of Kenya.

Dated the 18th October, 2024.

MOSES F. M. WETANG'ULA,  
*Speaker of the National Assembly.*

## 4.3 Notable Occurrences in the House

### 4.3.1 Special Motion for Dismissal of a Cabinet Secretary

#### Notice of Motion and Signatures

During the Session, the Member for Bumula (Hon. Nelson Jack Wamboka Wanami), submitted a Notice of a Special Motion on 24<sup>th</sup> April 2024 seeking the resolution of the House for the President to dismiss Hon. Mithika Linturi from Office of the Cabinet Secretary in charge of the Ministry of Livestock, Agriculture, and Fisheries on grounds of gross violation of the Constitution; serious reasons for believing that the Cabinet Secretary has committed a crime under national law; and gross misconduct.

The Notice of Motion was signed by one hundred and ten (110) Members in support, which was above the minimum threshold of eighty-eight (88) provided for in the Constitution. The Notice of Motion was therefore approved for consideration by the House and consequently given on 30<sup>th</sup> April 2024 by Hon. Wamboka.

Among the allegations included failure to undertake public participation with stakeholders in the implementation of far-reaching policy decisions on the procurement and distribution of fertiliser as well as approval of procurement and distribution of fake fertiliser by the National Cereals and Produce Boards (NCPB). One hundred and ten (110) Members signed in support of the Motion in line with the constitutional requirement of at least eighty-eight (88) Members.

#### Consideration of the Special Motion by the House

The Special Motion was moved on Thursday, 2<sup>nd</sup> May 2024 by the Member for Bumula (Hon. Jack Wamboka) and seconded by the Member for Kitutu Chache South (Hon. Antony Kibagendi). Following the conclusion of debate on the Special Motion, a vote was taken whereby one hundred and forty-nine (149) Members were in support; thirty-six (36) Members opposed, and three (3) Members abstained. Therefore, the Special Motion met the threshold of one hundred and seventeen (117) Members required for such a motion to progress to the appointment of a Select Committee to investigate the matter.

It is worth noting that while this was not the first time that the House was considering a Special Motion for the proposed removal of a Cabinet Secretary from office, it was the first time for such Motion to progress to the level of appointment of a Select Committee to investigate the matter.

In the 11<sup>th</sup> Parliament, Hon. Geoffrey Odanga, MP gave notice of a similar special motion on 1<sup>st</sup> July 2015 that the House resolves that pursuant to Article 152(6) of the Constitution, the President dismisses Prof. Jacob Kaimenyi from the position

of Cabinet Secretary for Education, Science and Technology for gross misconduct and gross violation of the Constitution and other laws of the land. However, the Motion to dismiss Hon. Kaimenyi was lost as it did not meet the required threshold pursuant to Article 152(6) of the Constitution and Standing Order 66.

### **Establishment of Select Committee**

Following the approval of the Special Motion by the House, a Select Committee was appointed on Thursday 2<sup>nd</sup> May 2024 to investigate the matter. The composition of the Select Committee was as follows –

- (1) The Hon. Naomi Jillo Waqo, CBS, M.P.
- (2) The Hon. Robert Mbui, CBS, M.P.
- (3) The Hon. (Dr.) Rachael Nyamai, CBS, M.P.
- (4) The Hon. Samuel Kiprono Chepkonga, CBS, M.P.
- (5) The Hon. George Gitonga Murungara, M.P.
- (6) The Hon. T. J. Kajwang, M.P.
- (7) The Hon. Moses Malulu Injendi, M.P.
- (8) The Hon. Jane Njeri Maina, M.P.
- (9) The Hon. Kassim Sawa Tandaza, M.P.
- (10) The Hon. Catherine Omanyoo, M.P.
- (11) The Hon. Yusuf M. Farah, M.P.

The Committee was tasked to investigate the matter in accordance with Article 152(7) of the Constitution and Standing Order 66(5)(b) and report to the House within ten (10) days on whether it finds the allegations against the Cabinet Secretary to have been substantiated.

Following its establishment, the Select Committee held its First Sitting on the same day at 6.00pm. Pursuant to Standing Order 179(1), the Committee unanimously elected the Hon. Naomi Waqo, CBS, MP and the Hon. Robert Mbui, CBS, MP as the Chairperson and Vice-Chairperson respectively.

### **Investigation of the charges and Public Participation**

The Committee held sittings on Wednesday 8<sup>th</sup>, Thursday 9<sup>th</sup> and Friday 10<sup>th</sup> May 2024 to hear the evidence and submissions of the parties and called various witnesses to testify during the hearing. On 8<sup>th</sup> May 2024, the Sponsor of the Special Motion gave evidence and called five (5) other witnesses namely: Messrs Titus Kiprotich, Benard Kuria, David Maina Ndegwa, Sammy Kiptum Birgen; and Hosea Rutto. The Cabinet Secretary for Agriculture and Livestock Development, Hon. Franklin Mithika Linturi, EGH testified on 9<sup>th</sup> May 2024. Having undertaken investigations, the Committee prepared its report for submission to the House.

## Report of the Committee and consideration by the House

On 13<sup>th</sup> May 2024, the Select Committee tabled its report in the House. In its Report, the Committee found that all the allegations, being gross violation of the Constitution or any other law; serious reasons for believing that the Cabinet Secretary has committed a crime under national law; and gross misconduct were unsubstantiated. The Committee, therefore, recommended to the House that in accordance with the provisions of Article 152(9)(a) of the Constitution and Standing Order 66(7)(a), there be no further proceedings on the matter.

Notably, the Report contained dissenting opinion of four (4) Members, who held the view that the charge on gross violation of Article 46(1)(a),(c)&(d) of the Constitution and by extension Articles 43(1)(c) and 10(1)(c) & 2(d) of the Constitution on making or implementing public policy decisions and the national values and principles on good governance, integrity, transparency and accountability' has been substantiated.

Under Article 152(9)(a) of the Constitution, if the Committee finds the allegations unsubstantiated, no further proceedings ought to be taken on the matter. In this regard, the Select Committee did not give Notice of Motion for consideration of its Report. However, the Speaker permitted the Chairperson of the Select Committee, Hon. Naomi Waqo, to highlight the proceedings of the Select committee and a few other Members to make comments, even though there was no Motion before the House.

The import of the Report of the Select Committee was that the Cabinet Secretary continued to hold office as Cabinet Secretary for Agriculture and Livestock Development.



Figure 35 - Cabinet Secretary, Hon. Mithika Linturi during cross examination in the Select Committee on 10<sup>th</sup> May 2024

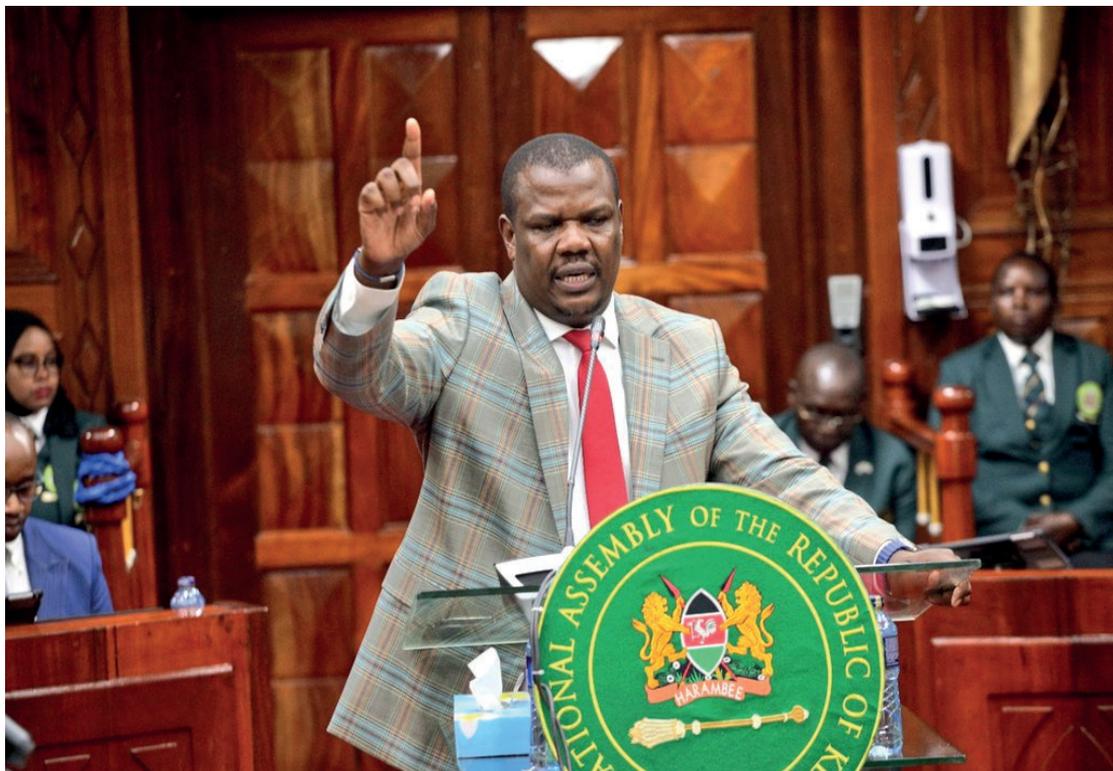


Figure 36 - Hon. Jack Wamboka making his closing statements during a meeting of the Select Committee on 10<sup>th</sup> May 2024

#### 4.3.2 Consideration of President's Reservations to the Finance Bill (National Assembly Bill No. 30 of 2024)

During the Session, the House considered the Finance Bill (National Assembly Bill No. 30 of 2024) and passed it on 25<sup>th</sup> June 2024. Upon referral of the Bill to the President for assent, the President declined to assent to the Bill citing his consideration of the widespread expression of dissatisfaction by members of the public on the contents of the Bill.

On 27<sup>th</sup> June 2024, the House received a Memorandum from His Excellency the President recommending to the House to delete all clauses in the Bill. Considering that the House was in recess, the Speaker transmitted the Memorandum to the Departmental Committee on Finance and National Planning for consideration, Members and the public vide Speaker's Notification No. 006 of 2024. The Notification was accompanied with an Explainer to the public on the import of the President's Memorandum and the manner of considering the Memorandum by the House.

Upon resumption, the House considered the President's Reservations to the Finance Bill (National Assembly Bill No. 30 of 2024) during the sitting on Thursday, 25<sup>th</sup> July 2024 and agreed with the reservations to delete all clauses in the Bill. This was following the recommendation of the Departmental Committee on Finance

and National Planning that the House do agree with the President's reservations that all the clauses of the Bill be deleted.

In the case of deletion of all clauses of a Bill, a Member who is desirous to move the House to reinstate any clause of the Bill is required to marshal the support of at least two hundred and thirty-three (233) Members. This is in line with the provision of Article 115(4) of the Constitution, which requires that such a proposal be supported by at least two-thirds of the Members of the National Assembly. Conversely, the agreement with the President's Reservations and the recommendation to delete all the clauses of the Finance Bill 2024 only required the support of a simple majority of Members present and voting.

Notably, during the consideration of the reservations in the Committee of the Whole House, the Clerk-at-the-Table called out provisions relating to specific statutes contained in the Bill, for instance, the provisions relating to Income Tax Act. This new approach allowed the Mover of the President's Reservations to explain certain aspects of the Bill beside enabling the process to proceed smoothly. The President's Memorandum recommending deletion of all clauses of a Bill, though significant, was neither exceptional in the legislative history nor new to the House. Similarly, on 2<sup>nd</sup> May 2024, the Speaker conveyed a Message from the President relating to the referral of the Penal Code (Amendment) Bill (National Assembly Bill No. 56 of 2022) to the House for reconsideration. In the Memorandum, the President expressed reservations on Clause 2 of the Bill, which was the operative provision of the Bill, and further, recommended its deletion hence constituting a rejection of the whole Bill.

Additionally, the 11<sup>th</sup> and 12<sup>th</sup> Parliaments witnessed the then President referring the Central Bank (Amendment) Bill (National Assembly Bill No. 28 of 2014 and the Law of Contract (Amendment) Bill (National Assembly Bill No. 1 of 2019) back to the House for reconsideration. In both cases, the President recommended deletion of the operative clauses in the Bills hence constituting rejection of the said Bills.

### **4.3.3 Vetting of Dismissed Cabinet Secretaries renominated to Cabinet**

On 12<sup>th</sup> July 2024, the President *vide* Gazette Notice No. 8440 dismissed all Cabinet Secretaries save for the Prime Cabinet Secretary who was assigned as the acting Cabinet Secretary in all vacant ministerial portfolios. On 22<sup>nd</sup> and 24<sup>th</sup> July 2024, the House received Messages from the President notifying the nomination of twenty (20) persons for appointment as Cabinet Secretaries, ten (10) of whom were re-nominated Cabinet Secretaries who served in the dismissed Cabinet. The re-nomination was in exercise of Article 152(2) of the Constitution and sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F.

During the vetting process, questions arose regarding the suitability of the ten (10) nominees, namely, Hon. (Prof.) Kithure Kindiki, Hon. Alice Wahome, Hon. Aden

Duale, Hon. Soipan Tuya, Mr. Davis Chirchir, Hon. Salim Mvurya, Ms. Rebecca Miano, Hon. Kipchumba Murkomen, Hon. Alfred Mutua and Hon. Justin Muturi on the ground of previous dismissal from Cabinet by the President.

The Committee on Appointments determined that under section 2 of Public Appointments (Parliamentary Approval) Act, appointment includes reappointment to the same body, whether or not in the same capacity. The dismissal of a Cabinet Secretary under Article 152(5) of the Constitution does not preclude that individual from being reappointed to any state office. A person is only barred from holding state office if, after the conclusion of disciplinary procedures contemplated under Article 75(2)(a) of the Constitution, they have been found to have contravened the provisions of Articles 75(1) & (2), 76, 77, or 78(2) of the Constitution.

Following the conclusion of the approval hearings on the nominees by the Committee on Appointments, on 7<sup>th</sup> August 2024, the House debated and approved the appointment of eighteen (18) persons to offices of Cabinet Secretaries and rejected the appointment of one nominee, Ms Stella Soi Langat as the Cabinet Secretary for the Ministry of Gender, Culture, the Arts and Heritage.

In the 12<sup>th</sup> Parliament, the then President after reelection retained six (6) Cabinet Secretaries from his previous Cabinet who were therefore not vetted again by Parliament. In comparison to the 13<sup>th</sup> Parliament, the nominees despite having been renominated had to undergo a fresh vetting as they had been dismissed.

#### **4.3.4 Exit Speeches by Members approved for appointment as Cabinet Secretary**

On 7<sup>th</sup> August 2024, the House approved the nomination of the Hon. Opiyo Wandayi and the Hon. John Mbadi for appointment as Cabinet Secretaries. The Members recused themselves from the House during voting on the Motion for approval of their nomination as Cabinet Secretaries to avoid conflict of interest. Further, the Hon. Wandayi, who was a Member of the Committee on Appointments, recused himself from the proceedings of the Committee during the approval hearings.

Following their approval as Cabinet Secretaries, the Speaker invited the Hon. Opiyo Wandayi and the Hon. John Mbadi to give their exit speeches on the Floor. Consequently, the two Members made their exit speeches on the Floor and expressed their thanks to their colleagues and constituents for the duration served. Additionally, the Hon. Wandayi as the then Leader of the Minority Party ceremoniously handed over the leadership role to his successor, Hon. Junet Mohammed, MP. The Speaker communicated the transition to the House. In the end, the two nominees resigned from their offices of Member of Parliament on 7<sup>th</sup> August 2024 pursuant to the provisions of Article 103(1)(d).

### 4.3.5 Committal of a Petition to a Committee other than the Public Petition Committee

The Standing Orders provide that all petitions other than those seeking removal of a member of a Commission or holder of an independent Office are to be committed to the Public Petitions Committee for consideration. During the Session, a petition regarding Legal recognition and protection of e-hailing motorcycle riders and delivery personnel by the Digital Boda Drivers and Deliveries Association of Kenya was submitted to the House on 13<sup>th</sup> September 2024.

The Speaker reported the petition to the House on 18<sup>th</sup> September 2024 and committed it to the Departmental Committee on Transport and Infrastructure for consideration. The petitioners sought for enactment of a legal framework under which the riders can be recognised and protected by labour laws.

As at the end of the Session, the Committee on Transport and Infrastructure was yet to table the report on the petition to the House.



*Figure 37 -Clerk of the National Assembly, Mr. Samuel Njoroge, CBS, (second left) receiving a petition from the members of the Digital Boda Drivers and Deliveries Association of Kenya on Friday, 13<sup>th</sup> September 2024 led by the Chairperson, Mr. Calvince Okumu (second right).*

### 4.3.6 Committal of a Bill to a Committee other than a Departmental Committee

The National Employment Authority (Amendment) Bill, 2023 (Senate Bills No. 48 of 2023), a Bill sponsored by Sen. Crystal Asige, M.P was committed for joint consideration by the Diaspora Affairs and Migrant Workers Committee and the Departmental Committee on Labour. As at the end of the Session, the Committees were yet to conclude consideration of the Bill.

## CHAPTER 5 - NATIONAL ASSEMBLY AND PARLIAMENTARY DIPLOMACY

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### 5.1 Introduction

Parliamentary Service Commission Strategic Pillar III on Public Trust seeks to strengthen parliamentary diplomacy, partnerships and linkages and to enhance parliamentary outreach and promote ideals of parliamentary democracy. To fulfil the objectives of the Pillar, the National Assembly participated in the activities of various inter-parliamentary organizations.

Some of the inter-parliamentary organizations include –

- (a) the Commonwealth Parliamentary Association (CPA) and Society of Clerks-At-The-Table Africa Region (SoCATT);
- (b) the East African Community (EAC), East African Legislative Assembly (EALA), and the East African Community (EAC) Bureau of Speakers;
- (c) Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC);
- (d) the Inter-Parliamentary Union (IPU) and Association of Secretary Generals of Parliaments (ASGP);
- (e) the Pan-African Parliament (PAP);
- (f) the Organization of African Caribbean and Pacific States (OACPS); and
- (g) the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR).

### 5.2 The Commonwealth Parliamentary Association

The Commonwealth Parliamentary Association (CPA) works to support good governance, democracy and human rights. Its membership comprises national, state, provincial and territorial parliaments/legislatures across the Commonwealth.

During the period under consideration, the National Assembly participated in a number of activities under CPA as follows –

- (i) The 86<sup>th</sup> Executive Committee Meeting of the CPA Africa Region in Entebbe, Uganda from 7<sup>th</sup> to 12<sup>th</sup> March 2024. The Meeting deliberated on management of financial and administrative affairs of the CPA Africa Region. The Meeting was attended by the Hon. John Paul Mwirigi, MP, the CPA Kenya Branch Representative and Hon. Dr. Beatrice Adagala, MP, the Commonwealth Women Parliamentarians (CWP) Kenya Chapter Chairperson and a member of the CWP Sub-Regional Representatives Committee.
- (ii) The Standing Committee meeting of the 19<sup>th</sup> Commonwealth Speakers and Presiding Officers Conference (African Region) in Gaborone, Botswana, from 5<sup>th</sup> to 10<sup>th</sup> July 2024. The meeting was held ahead of the 19<sup>th</sup> Commonwealth Speakers and Presiding Officers Conference scheduled for June/July 2025 in Botswana;
- (iii) Legislative Strengthening Seminar in Westminster, London, United Kingdom, from 16<sup>th</sup> to 18<sup>th</sup> July 2024. The Seminar focused on combating gender-based violence and addressing modern slavery in supply chains;

- (iv) The 5<sup>th</sup> Youth Parliament of the CPA-Africa Region, held in Dodoma, Tanzania, from 5<sup>th</sup> to 9<sup>th</sup> August 2024. The event provided young people with a platform to participate in parliamentary processes, debate pressing issues, and develop leadership skills, and foster a new generation of democratic leaders;
- (v) The 53<sup>rd</sup> CPA Africa Annual General Meeting & Regional Conference and the 2024 Annual General Meeting of the Society of Clerks-At-The-Table (SoCATT) Africa Region in Arusha, United Republic of Tanzania from 29<sup>th</sup> September to 7<sup>th</sup> October 2024. The meetings served as platforms for regional collaboration, sharing administrative best practices, and advancing the professional development of parliamentary staff. Notably, in the SoCATT AGM, Parliament of Kenya exited the steering committee after serving for more than two decades;
- (vi) The 3<sup>rd</sup> Parliamentarians with Disabilities (CPwD) Africa Region Conference in Lusaka, Zambia, from 24<sup>th</sup> to 28<sup>th</sup> November 2024. The Conference focused on enhancing the inclusion of persons with disabilities in parliamentary processes, promoting equity, and ensuring that legislative frameworks address the needs of all citizens; and
- (vii) The 67<sup>th</sup> Commonwealth Parliamentary Conference in Sydney, New South Wales, Australia, from 3<sup>rd</sup> to 8<sup>th</sup> November 2024. The discussions at the conference were centered on promoting democratic resilience through active engagement, empowering communities, and sustaining democratic practices in the face of global challenge CPA Australia.

### **Society of Clerks-at-the Table**

The Society of Clerks-at-the-Table is an association that seeks to provide an engagement by which the parliamentary practices of various legislative chambers in the Commonwealth may be made more accessible to Clerks. The society also seeks to foster a mutual interest in their duties, rights and privileges among officers of parliament.

During the period under the review, the National Assembly attended the Society of Clerks-at-the-Table seminars as follows –

- (i) The Technical Team Working Workshop in Kigali from 15<sup>th</sup> to 21<sup>st</sup> February 2024. This event focused on developing the mid-term evaluation framework for the 2022-2026 SOCATT Africa Strategic Plan and finalizing the operationalization of the SOCATT Africa website.
- (ii) The SOCATT Journal Editorial Board gathering in Kigali from 18<sup>th</sup> to 23<sup>rd</sup> March 2024, to review submitted draft journal articles and finalize the work initiated by the previous Editorial Board. This gathering played a crucial role in facilitating the production of the Second Edition of the SOCATT Journal.
- (iii) The 8<sup>th</sup> SOCATT Africa Professional Development Seminar in Arusha from 20<sup>th</sup> to 24<sup>th</sup> May 2024. The event provided a platform for knowledge-sharing, networking, and professional growth;
- (iv) A special Steering Committee Meeting in Kigali from 25<sup>th</sup> to 31<sup>st</sup> July 2024. The meeting aimed to review various reports presented at the 2024 SOCATT Africa Annual General Meeting, as well as to assess documents handed over

to the incoming Steering Committee that assumed office during the AGM; and

- (v) Election of new office bearers for the SOCATT Africa Region for the 2024-2027 term in Arusha from 29<sup>th</sup> September to 7<sup>th</sup> October 2024, ushering in a new chapter of leadership and reinforcing the region's dedication to progress and collaboration.

### 5.3 The East African Community (EAC)

The East African Legislative Assembly (EALA) is the legislative arm of the East African Community (EAC) whose functions, among others, is to strengthen legislative collaboration and driving integration across the region by promoting regional unity and cooperation within the EAC through various events as follows –

- (i) The 3<sup>rd</sup> Meeting of the 2<sup>nd</sup> Session of the 5<sup>th</sup> Assembly, held in Nairobi, Kenya from 3<sup>rd</sup> to 20<sup>th</sup> March 2024. The Plenary meeting is for EALA to conduct its activities in partner States. The legislators deliberated on legislative matters, review regional policies, and strengthen cooperation aimed at promoting economic integration, peace, and development across East Africa;



Figure 38 -The President, H.E (Dr.) William Ruto, CGH during the official opening of the EALA plenary sitting in Nairobi for Members of the East Africa Legislative Assembly in the Senate Chambers on Tuesday, 5<sup>th</sup> March 2024

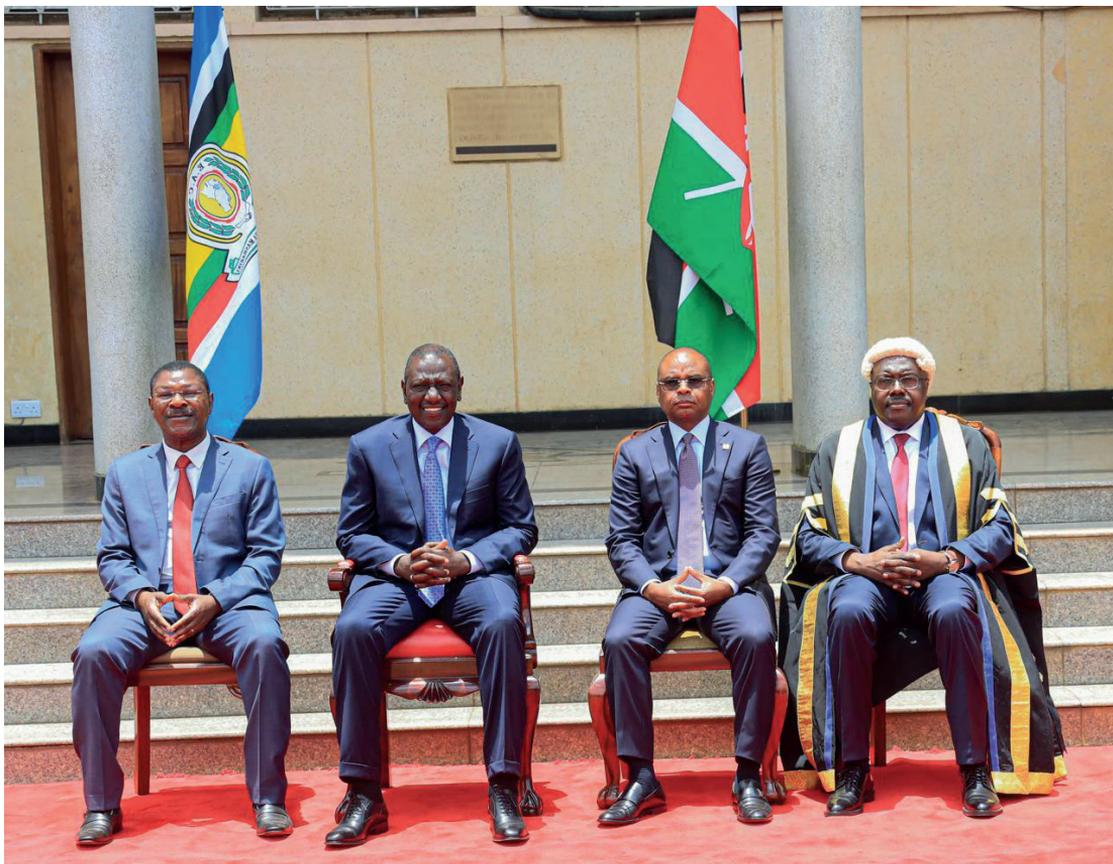


Figure 39 -The President, H.E (Dr.) William Ruto, CGH (second left) with the Speaker of the National Assembly, Rt Hon. (Dr.) Moses Wetang'ula, EGH (left), Speaker of the Senate Rt (Hon.) Amason Kingi, EGH (second right) and Speaker of the East African Legislative Assembly (EALA), Rt (Hon.) Joseph Ntakirutimana (far right), after the official opening of the EALA Plenary sittings in Nairobi on Tuesday, 5<sup>th</sup> March 2024

- (ii) The 17<sup>th</sup> and 18<sup>th</sup> Meetings of the Bureau of East African Community Speakers, held in Kenya from 27<sup>th</sup> to 29<sup>th</sup> May 2024 and 11<sup>th</sup> to 13<sup>th</sup> November 2024 respectively. The meetings majorly focused on preparations for the 14<sup>th</sup> EAC Inter-Parliamentary Games which were held in Mombasa in December 2024; and

#### **The 14<sup>th</sup> Edition of the East African Community Inter-Parliamentary Games:**

The Parliament of Kenya hosted the 14<sup>th</sup> Edition of the East African Community Inter-Parliamentary Games (IPG) which were held from 7<sup>th</sup> to 17<sup>th</sup> December 2024 in Mombasa County. The annual games serve as a rallying call for deepening, widening, tightening and strengthening the bonds of friendship among the people of the member-states of the East African Community.

The official opening of the games was graced by the President H.E. Dr. William Ruto, CGH on 7<sup>th</sup> December 2024 at the Mama Ngina Waterfront, Mombasa County. The President emphasized the importance of deepening ties within the EAC noting that sporting activities can be powerful tools for building regional integration and cooperation.



Figure 40 -The President of the Republic of Kenya, H.E William Ruto (Centre), the Speaker of the National Assembly, the Rt. Hon. Moses Wetang'ula (right), and the Governor of the County of Mombasa, H.E Abdullswamad Nassir (left) during the official opening of the 14<sup>th</sup> Edition of the EAC Inter-Parliamentary Games held at Mbaraki Sports Complex, Mombasa County on Saturday, 7<sup>th</sup> December 2024



Figure 41 -The President of the Republic of Kenya, H.E William Ruto (Centre), the Speaker of the National Assembly, the Rt. Hon. Moses Wetang'ula (right), and the Speaker of the Parliament of Uganda, Hon. Anita Among (left) in a race during the official opening of the 14<sup>th</sup> Edition of the EAC Inter-Parliamentary Games held at Mbaraki Sports Complex, Mombasa County on Saturday, 7<sup>th</sup> December 2024

The event brought together legislators from Uganda, Burundi, Rwanda, Tanzania, the East African Legislative Assembly (EALA) and the host Kenya. At the conclusion of the opening ceremony, H.E. the President and the teams, in a parade of friendship and regional pride, marched to the Mbaraki Stadium for the kick-off of the competitive games.

Team Kenya was composed of Members of Parliament in playing units, non-playing units and staff forming technical support units. The team participated in the following eight (8) disciplines –

- (1) Golf (Men & Women);
- (2) Darts - PWDs (Men & Women);
- (3) Football (Men);
- (4) Netball (Women);
- (5) Athletics (Men & Women);
- (6) Volleyball (Men & Women);
- (7) Basketball (Men & Women); and
- (8) Tug of War (Men & Women).

The 12-day event was officially closed on 17<sup>th</sup> December 2024 presided over by the Speaker of the National Assembly and President of the Bureau of Speakers of the East African Parliaments, the Rt. Hon. (Dr.) Moses M. Wetang'ula, EGH, MP.



Figure 42 -Bunge Women's Volleyball team break into dance after victory over Burundi in the EAC Inter-Parliamentary Games at the Aga Khan Academy Sports ground in Mombasa on Thursday, 12<sup>th</sup> December 2024



Figure 43 -Bunge Relay team in a lap of honour after winning the 4x400m race in Mbaraki Sports Complex in Mombasa on Friday, 13<sup>th</sup> December 2024. From left: Hon. Joshua Kandie, MP- Baringo Central (Bib No.420), Hon. Joses Lelmengit, MP- Emgwen (Bib No.422), Hon. Gitonga Mukunji, MP- Manyatta (Bib No.421), and Hon. Titus Lotee, MP -Kacheliba (Bib No. 414)

## 5.4 The Inter-Parliamentary Union

The Inter-Parliamentary Union (IPU) is an international organization of the national Parliaments of sovereign States which works to establish democracy, peace and cooperation. The National Assembly took part in the following activities of the IPU during the Session –

- (1) The 148<sup>th</sup> Inter-Parliamentary Union Conference in Geneva, Switzerland, from 23<sup>rd</sup> to 27<sup>th</sup> March 2024. The gathering brought together parliamentarians from around the world to discuss emerging global issues, share insights, and strengthen inter-parliamentary collaboration;
- (2) The Universal Periodic Review (UPR) of the UN Human Rights Council in Geneva from 29<sup>th</sup> and 30<sup>th</sup> April 2024. The initiative emphasized the critical role of parliaments in promoting and safeguarding human rights, underlining their contribution to upholding global human rights standards;
- (3) High-Level Political Forum (HLPF) on Sustainable Development in New York, USA, from 15<sup>th</sup> to 17<sup>th</sup> July 2024. The forum provided a platform for parliamentary representatives to evaluate progress toward the Sustainable Development Goals (SDGs), exchange best practices, and explore legislative initiatives to advance these objectives;
- (4) The Inter-regional Seminar between the National People’s Congress of China and the Inter-Parliamentary Union, co-hosted by the IPU and the National People’s Congress of China in Beijing, from 19<sup>th</sup> to 28<sup>th</sup> August 2024. The seminar fostered dialogue on governance, shared legislative best practices, and

examined the role of parliaments in addressing global challenges, promoting cooperation and mutual learning among regions;

- (5) The 10<sup>th</sup> Global Conference of Young Parliamentarians in Yerevan, Armenia, from 12<sup>th</sup> to 14<sup>th</sup> September 2024. The Conference enabled young lawmakers to exchange ideas, discuss global challenges, and develop leadership skills, emphasizing the importance of youth involvement in parliamentary work;
- (6) The 149<sup>th</sup> Inter-Parliamentary Union Conference in Geneva, Switzerland, from 13<sup>th</sup> to 17<sup>th</sup> October 2024. The event focused on fostering inter-parliamentary cooperation and addressing key global issues; and
- (7) The 29<sup>th</sup> Conference of Parties (COP29) of the United Nations Framework Convention on Climate Change in Baku, Azerbaijan, from 16<sup>th</sup> to 17<sup>th</sup> November 2024. The event underscored the IPU's commitment to climate action, providing an opportunity for parliamentarians to discuss legislative approaches to combat climate change and promote environmental sustainability.

## 5.5 The Pan-African Parliament

The Pan-African Parliament (PAP) is the legislative body of the African Union. It exercises oversight, and has advisory and consultative powers. Below is a list of activities of the Pan-African Parliament that the National Assembly participated in during the Third Session –

- (i) The Executive Council and the Assembly of Heads of State and Government of the African Union in Addis Ababa, Ethiopia, from 13<sup>th</sup> to 19<sup>th</sup> February 2024. The high-profile gathering set the stage for advancing continental policy and strategic initiatives;
- (ii) An Extraordinary Session of the 6<sup>th</sup> Parliament in Midrand, South Africa, from 20<sup>th</sup> to 27<sup>th</sup> March 2024, for election of candidates for vacant positions in the Bureau of the Pan-African Parliament;
- (iii) The PAP Committee on Gender, Family, Youth, and People with Disabilities hosted a civil society engagement in Nairobi, Kenya, from 22<sup>nd</sup> to 24<sup>th</sup> April 2024. The event provided a platform for diverse stakeholders to discuss the rights and needs of marginalized groups across Africa;
- (iv) The Third Ordinary Session of the 6<sup>th</sup> Legislative Assembly and Permanent Committee meetings were held in Midrand, South Africa, from 24<sup>th</sup> June to 5<sup>th</sup> July 2024. The Plenary Session aimed to bring together African legislators, policymakers, and stakeholders to deliberate on strategies for enhancing education systems across the continent;
- (v) Election Observation Mission in Rwanda from 9<sup>th</sup> to 18<sup>th</sup> July 2024, the mission assessed compliance with international standards, regional protocols, and national laws, providing an independent evaluation of the fairness and integrity of the elections;
- (vi) The 5<sup>th</sup> Meeting of the Association of Secretaries General of African Parliaments (ASGAP) and the African Speakers Conference were held in Midrand, South Africa, on 16<sup>th</sup> and 17<sup>th</sup> September 2024;
- (vii) The 4<sup>th</sup> Ordinary Session of the 6<sup>th</sup> Legislature and related meetings in Midrand, South Africa from October 28<sup>th</sup> to 17<sup>th</sup> November 2024. The deliberations focused on building resilient education frameworks to promote greater access to inclusive, lifelong, and high-quality learning

opportunities for all Africans;

- (viii) A Technical Consultation Workshop on the Model Law on Soil Management in Africa was held in Nairobi from 4<sup>th</sup> to 6<sup>th</sup> December 2024, providing a platform to refine legislative approaches to soil conservation; and
- (ix) A meeting of members of the PAP Committee on Rural Economy, Agriculture, Environment, and Natural Resources and the National Assembly Departmental Committee on Agriculture and Livestock at the Main Parliament Buildings in Nairobi on 4<sup>th</sup> December 2024.

## **5.6 The Organisation of African Caribbean Pacific States – European Union**

The Organisation of African, Caribbean, and Pacific States –European Union (OACPS-EU) is a partnership between the OACPS, which consists of seventy-nine (79) member states from Africa, the Caribbean, and the Pacific, and the European Union (EU). This collaboration is rooted in historical agreements aimed at fostering sustainable development, economic cooperation, and political dialogue.

During the Third Session, the National Assembly participated in the 64<sup>th</sup> Session of the OACPS Parliamentary Assembly and 1<sup>st</sup> Sessions of the OACPS-EU Joint Parliamentary Assembly held in Luanda, Angola from 17<sup>th</sup> to 21<sup>st</sup> February 2024. The sessions deliberated on strengthening the partnership between the OACPS and the EU, with debates focusing on revitalizing their cooperation and addressing priorities under the new Samoa Agreement.

## **5.7 The Forum of Parliament of the International Conference on the Great Lakes Region**

The Forum of Parliaments for the International Conference on the Great Lakes Region (FP-ICGLR) is a regional organization that brings together Member States from Central, Eastern and Southern Africa. The forum works towards attaining peace, security, political stability and development in the Great Lakes Region. The National Assembly participated in the following activities of the Region (FP-ICGLR) –

- (i) The 3<sup>rd</sup> Phase of the Parliamentary Fact-Finding Mission on the Armed Conflict in the Eastern Democratic Republic of Congo (DRC), held in Rwanda from 26<sup>th</sup> February to 1<sup>st</sup> March 2024. The mission aimed to gather firsthand information on the conflict, its impacts, and potential solutions, fostering a deeper understanding among member States to promote peace and stability;
- (b) The 14<sup>th</sup> Ordinary Session of the Plenary Assembly of the Forum of Parliaments of the Member States of the FP-ICGLR convened in Zambia from 15<sup>th</sup> to 19<sup>th</sup> April 2024. Member States discussed regional issues, including peace, security, and development, highlighting the importance of parliamentary diplomacy in promoting stability and cooperation in the Great Lakes region;
- (c) The 13<sup>th</sup> Statutory Meeting of the Committee on Peace and Security and the 11<sup>th</sup> Statutory Meeting of the Permanent Committee on Democracy and Good Governance in South Sudan from 26<sup>th</sup> to 30<sup>th</sup> August 2024. The meetings focused on reviewing progress, setting strategic priorities, and enhancing collaborative efforts to address challenges related to peace, security, democracy, and governance across member States; and

- (iv) The 8<sup>th</sup> Statutory Committee Meeting on Economic Development, Regional Integration, and Natural Resources, held in Kampala, Uganda, from 18<sup>th</sup> to 24<sup>th</sup> October 2024. The meeting addressed economic development, regional integration, and sustainable management of natural resources, emphasizing the Forum’s commitment to fostering prosperity and resilience in the region.

## 5.8 Parliamentary Caucuses

Standing Order 259A provides that the Speaker may, upon a written request of at least ten (10) Members, recognize a parliamentary caucus formed for the purpose of advancing a common legislative objective.

During the Session, the efforts by Caucuses spanned a wide range of initiatives, both locally and internationally, reflecting their commitment to positive change and sustainable development. Some of the activities undertaken by the Parliamentary Caucuses in the Session included –

### (a) The Kenya Young Parliamentarians Association (KYPA)

- (i) The World Youth Festival in Sochi, Russia, from 29<sup>th</sup> February to 7<sup>th</sup> March 2024. The festival promoted international youth cooperation through cultural exchange, dialogue, and collaboration, fostering idea-sharing, learning, and global citizenship to encourage peace and societal engagement; and
- (ii) The launch of the 2024-2029 Strategic Plan in Nairobi on 13<sup>th</sup> June 2024 and which was attended by the President. The Strategic Plan outlined the organization’s vision, goals, and strategic priorities for the next five years, providing a clear roadmap for growth, development, and impactful initiatives.

### (b) The Caucus Against Drugs and Substance Abuse

- (i) Meeting with the Deputy President in Mombasa on 26<sup>th</sup> February 2024 to strategize on combating substance abuse and its effects on communities; and
- (ii) The Alcohol Control Policy Roundtable in Kisumu on 25<sup>th</sup> November 2024. The event provided a platform for stakeholders to discuss strategies to curb alcohol abuse.

(c) The Kenya Disability Parliamentary Association (KEDIPA) hosted a Finnish delegation at Parliament on 14<sup>th</sup> March 2024 to exchange ideas on disability rights and inclusion.

### (d) Parliamentarians for Global Action

- (i) Parliamentarians for Global Action Executive Committee meetings in New York, from 30<sup>th</sup> May to 1<sup>st</sup> June 2024. The meetings focused on evaluating the effectiveness of PGA’s initiatives and approving tailored action plans for each program outlined in the organization’s Strategic Plan.
- (ii) The launch of Kenya’s 5<sup>th</sup> National Action Plan (NAP) under the Open Government Partnership (OGP) in Nairobi on 12<sup>th</sup> September 2024. This event aimed at fostering a more inclusive, responsive, and resilient government in alignment with the Kenya Kwanza Manifesto.

(e) The Kenya Women Parliamentary Association hosted the Kenya Democracy Academy retreat in Naivasha from 27<sup>th</sup> to 30<sup>th</sup> June 2024. It focused on promoting the wellness and well-being of Members of Parliament.

**(f) The Pastoralist Parliamentary Group**

- (i) The Pastoralist Parliamentary Group Executive Committee retreat in Machakos County from 13<sup>th</sup> to 16<sup>th</sup> June 2024. The retreat aimed to promote collaboration, enhance leadership capacities, and develop actionable strategies to address the unique challenges faced by pastoralist communities, including issues related to livelihoods, sustainability, and socio-economic development;
- (ii) Workshop on holistic approach to livestock sector management in pastoralist areas in Kenya held in Kajiado County from 11<sup>th</sup> to 13<sup>th</sup> September 2024, focusing on sustainable and integrated strategies for enhancing livestock management in pastoral regions; and
- (iii) The Pastoralist Leadership Summit held in Wajir County from 8<sup>th</sup> to 10<sup>th</sup> December 2024. The meeting brought together leaders to discuss issues facing pastoralist communities in Kenya, including insecurity, drought, livestock management, and community land registration, and to agree on policy measures to address these challenges effectively.



Figure 44 -Speaker of the National Assembly, Rt. Hon. (Dr.) Moses Wetang'ula, EGH, MP (centre), being adorned with traditional attire by Marsabit County Governor, H.E Mahmoud Abshiro (left) and Mandera County Governor, Dr. Ali Mohamud (right) during the opening of the 4th Pastoralist Leadership Summit at Wajir Girls Secondary School in Wajir County on 9<sup>th</sup> December 2024

**(g) The Caucus on Renewable Energy and Climate Change** participated in the 60<sup>th</sup> Session of the United Nations Climate Change Conference (UNFCCC), Bonn Conference (Pre-COP29) held in Bonn, Germany, on 3<sup>rd</sup> June 2024. The Conference advanced agreements from the previous Conference of the Parties (COP) and discussed the implementation of the Global Stocktake (GST) decision.

**(h) The Caucus on Sustainable Development Goals and Business** held the 2024 National SDG Multi-Stakeholders Conference in Mombasa County from 9<sup>th</sup> to 11<sup>th</sup> December 2024. The Conference aimed to inspire actionable strategies to accelerate progress towards achieving the Sustainable Development Goals (SDGs). During the Conference, four (4) Members being Hon. Ndindi Nyoro, Hon. Catherine Wambilianga, Hon. Amina Udgoon, and Hon. Clive Gisairo were awarded for their roles in the achievement of SDGs.

**(i) The World Scout Parliamentary Union- Kenya Chapter**

During the Session, the Caucus engaged in the following activities –

- (i) Inaugural meeting of the 2nd WSPU Africa Assembly held in the Kingdom of Eswatini from 17<sup>th</sup> to 21<sup>st</sup> June 2024. The meeting brought together stakeholders to strengthen partnerships, promote dialogue, and advance strategic initiatives for sustainable development across Africa; and
- (ii) Official launch of the WSPU Kenya Magazine held in Nyeri County on 31<sup>st</sup> July 2024. The Magazine highlights the union’s achievements, shares inspiring stories, and promotes its initiatives while enhancing public awareness and fostering advocacy for youth empowerment and community development in the country.
- (iii) The Executive Committee Meeting of the World Scouts Parliamentary Union (WSPU) in Nairobi from 17<sup>th</sup> to 19<sup>th</sup> November 2024. The Meeting deliberated on the priority WSPU actions and prepared for the next General Assembly.

## 5.9 Benchmarking/ Study Visits to the National Assembly of Kenya

In an effort to strengthen parliamentary diplomacy, foster partnerships and linkages, and enhance parliamentary outreach while promoting the ideals of parliamentary democracy, the National Assembly hosted several delegations during the Third Session. The following delegations from various parliaments and other external partners visited the National Assembly:

S/No.	Visiting Group/ Delegation	Visit Dates
(1)	Kenya-Germany Parliamentary Friendship Group from the Bundestag	16 <sup>th</sup> February 2024
(2)	Senior congressional staff members from the United States Congress	19 <sup>th</sup> February 2024
(3)	The Leader of Opposition and other Members from the Parliament of Uganda	14 <sup>th</sup> to 19 <sup>th</sup> March 2024
(4)	Parliamentary officers from Parliament of Sierra Leone	20 <sup>th</sup> March 2024
(5)	The Fiscal Responsibility Commission of the Federal Republic of Nigeria	8 <sup>th</sup> to April 12 <sup>th</sup> 2024

S/No.	Visiting Group/ Delegation	Visit Dates
(6)	The Parliamentary Committee on Health, Community Development, and Social Services from the National Assembly of Zambia	14 <sup>th</sup> to 21 <sup>st</sup> April 2024
(7)	Delegation focusing on climate change regulation from the National Assembly of Zambia	22 <sup>nd</sup> to 26 <sup>th</sup> April 2024
(8)	Staff from British Army Training Unit-Kenya (BATUK)	25 <sup>th</sup> April 2024
(9)	Committee on Health from the Parliament of Uganda	11 <sup>th</sup> to 15 <sup>th</sup> November 2024
(10)	Committee on Gender, Children, and Social Welfare from the National Assembly of The Gambia.	18 <sup>th</sup> to 22 <sup>nd</sup> November 2024
(11)	Foreign Affairs Committee of the National People's Congress of the People's Republic of China	19 <sup>th</sup> to 21 <sup>st</sup> November 2024
(12)	Committee on Rules, Privileges, and Discipline of the Parliament of Uganda	25 <sup>th</sup> to 29 <sup>th</sup> November 2024
(13)	Courtesy visit by UNITE - Parliamentarians Network for Global Health and UNITAD	27 <sup>th</sup> November 2024

## CHAPTER 6 - OTHER ACTIVITIES UNDERTAKEN DURING THE SESSION

### 6.1 The Kenya National Prayer Breakfast

The Kenya National Prayer Breakfast (NPB) is an occasion where leaders including government officials, religious leaders and foreign envoys come together to seek divine guidance and reflect on the progress made by the nation. The Prayer Breakfast is held annually and seeks to foster unity, dialogue, and a shared commitment to the well-being of the country.

During the Session, the 21<sup>st</sup> National Prayer Breakfast was hosted by the Speaker of the National Assembly, Hon. (Dr.) Moses Wetang'ula, EGH, MP and the Speaker of the Senate Sen. Amason Kingi, EGH, MP. The event took place at Safari Park Hotel, Nairobi, on 30<sup>th</sup> May 2024, under the theme "Hope." The event was preceded by the 17<sup>th</sup> Meeting of the Bureau of Speakers of the National Legislatures of the East African Community held in Nairobi on 29<sup>th</sup> May 2024. The Kenya National Prayer Breakfast's Organizing Committee was co-chaired by Hon Senator Daniel Maanzo, MP and Hon. Samwel Chepkong'a, CBS, MP.

Members and Representatives of the Bureau of Speakers of the National Legislatures of the East African Community attended the National Prayer breakfast. Other guests included Members of Parliament, religious leaders from various denominations, and members of the diplomatic corps.



Figure 45 -The Parliamentary Choir entertaining dignitaries during the 21st National Prayer Breakfast held at the Safari Park Hotel, Nairobi on Thursday, 30<sup>th</sup> May 2024

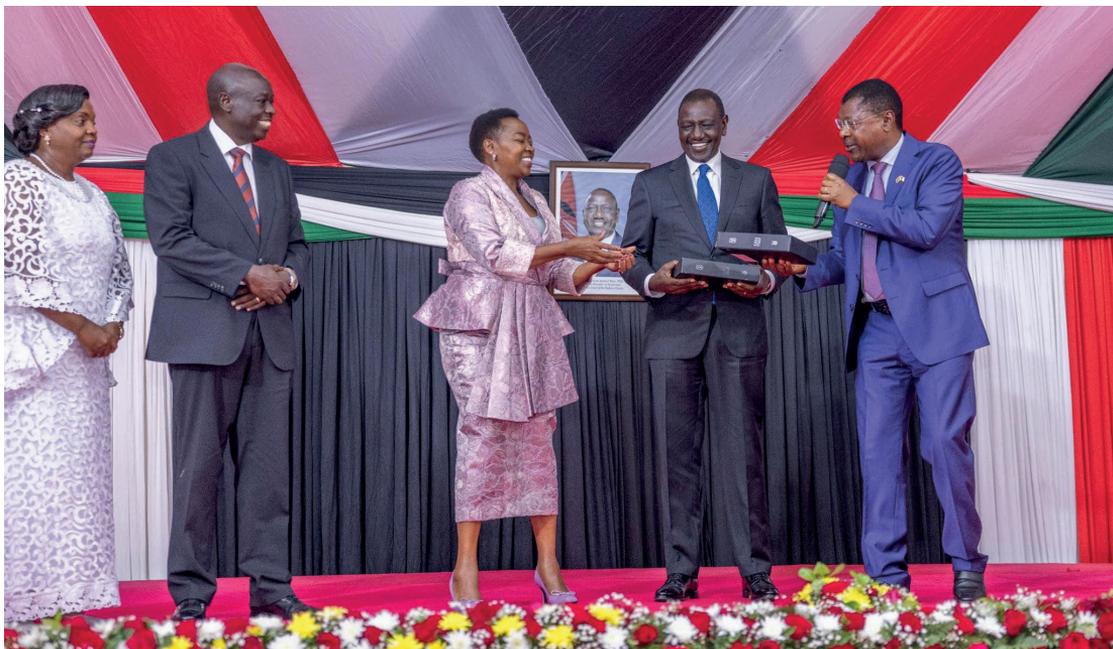


Figure 46 -Annual National Prayer Breakfast at Safari Park Hotel, Nairobi on Friday, 30<sup>th</sup> May 2024. Also present is the Speaker of the National Assembly, Rt. Hon. Moses Wetang'ula, the Deputy President, H.E Rigathi Gachagua, EGH and Second Lady, Pst. Dorcas Gachagua, EGH.

## 6.2 Official Opening of Bunge Tower

During the Session, Bunge Tower was officially opened on 25<sup>th</sup> April 2024, by His Excellency the President, marking a significant milestone in the history of Parliament. In line with Strategic Objective 19 of the Parliamentary Service Commission's 2019-2030 Strategic Plan, the completion of Bunge Tower has provided Members and staff with office space to fulfil their constitutional duties of legislation, representation, and oversight using modernized facilities. The iconic structure defines Parliament's skyline, serving as a near-final piece in the architectural evolution of Parliament Buildings, which have developed over time with a rich historical significance.

The Parliament of Kenya has undergone various transformations throughout its legislative history, dating back to the establishment of the Legislative Council (LegCo) in 1907. This journey began during the colonial era when LegCo was formed under the East African Order-in-Council in 1906, holding its first sitting on 7<sup>th</sup> August 1907, in a makeshift facility along White House Road (now Haile Selassie Avenue). The Council continued to convene at this location and occasionally at Government House, now State House.

In 1920, the Colonial Government relocated LegCo sittings to the Memorial Hall (currently the Bank of India building along Kenyatta Avenue) where legislative business was conducted until 1953. It was within these walls that Eliud Mathu, the first African representative, was nominated to the House by the Governor. After nearly three decades at Memorial Hall, the Legislative Council moved to the newly constructed Parliament Buildings in Nairobi's City Square, officially commissioned by then-Governor Sir Evelyn Baring on 16<sup>th</sup> February 1954.

The Parliament Buildings have since been expanded in response to constitutional changes. The first major extension followed Kenya's independence in 1963, which established a bicameral Parliament comprising the House of Representatives and the Senate. This development necessitated the construction of a second chamber, with its foundation stone laid by President Jomo Kenyatta on 13<sup>th</sup> December 1963, and its official opening in November 1965.

The second phase of expansion came after the promulgation of the 2010 Constitution, which reinstated a bicameral Parliament, creating a need for additional office space. This extension included offices, committee rooms, and a restaurant, culminating in the commissioning of a new wing by His Excellency President Uhuru Kenyatta in May 2017.

Strategic Pillar IV of the Parliamentary Service Commission's 2019-2030 Strategic Plan underscores the importance of providing modern facilities and a secure working environment for Members and staff, serving as a cornerstone for effective legislative operations. Bunge Tower, along with other projects such as the envisioned Parliament Square, plays a crucial role in achieving this strategic objective.



*Figure 47 -The Iconic Bunge Tower in the background of the Main Parliament Buildings*

### **6.3 2025 Mid-Term Retreat for Member of the National Assembly**

The National Assembly traditionally holds retreats for Members of the House to deliberate on various matters including procedural developments, legislative priorities, and also to reflect on successes and challenges while exploring solutions to the challenges. The 2025 Mid-Term Retreat Member, which was held between 27<sup>th</sup> and 31<sup>st</sup> January 2025 in Naivasha, Nakuru County, brought together all Members of the National Assembly.

The retreat deliberated on, among other topics, the marshaling of House business, legislative priorities for the 4<sup>th</sup> Session and beyond, management of Constituency and County Offices, state of the economy, the rollout and operationalisation of universal

health coverage frameworks, and pensions and welfare matters. Members engaged with representatives from various State entities including the National Treasury, the Department of Pensions, the State Department for Medical Services and the Social Health Authority (SHA).

Notably, Members deliberated on –

- (i) Proposed amendment to the Constitution to entrench the National Government Constituency Development Fund (NG-CDF), the Senate Oversight Fund and the National Government Affirmative Action Fund (NGAAF);
- (ii) Proposed introduction of contributory Post-Service Medical Scheme for Members of Parliament seeking to provide for a medical scheme for Members upon exit from Parliament;
- (iii) Consolidation of Bills and legislative proposals with similar or related subject matters;
- (iv) Modalities for streamlining the implementation of Universal Health Coverage (UHC) under the Social Health Authority (SHA); and
- (v) The state of the economy.



*Figure 48 - Speaker of the National Assembly, Rt. Hon. (Dr.) Moses Wetang'ula, EGH, MP addressing Members during the 2025 Mid-Term Retreat for Members of the National Assembly in Naivasha on Tuesday, 28<sup>th</sup> January 2025*

## 6.4 Presidential Honours

During the Session, Members of the National Assembly were conferred State awards and honours by His Excellency the President during the 61<sup>st</sup> celebration of Jamhuri Day. The awards were issued in recognition of distinguished and outstanding services rendered by the Members of Parliament to the nation in various capacities and responsibilities.

Following the recommendations of the Parliamentary Honours Advisory Committee in accordance with section 3(3)(b) of the National Honours Act, 2013, the President conferred national honours to Members of the National Assembly and staff. Among

the Members who were conferred with honours include Parliamentary Service Commissioners, the Leader of the Minority Party and various Chairpersons of Committees. Members conferred with honours during the Session (2024) are as follows:

S/No.	Name	Honours
(1)	Hon. Junet Sheikh Nuh, CBS	Elder of the Order of the Golden heart (EGH)
(2)	Hon. Patrick Makau King'ola, EBS	Chief of the Order of the Burning Speaker (CBS)
(3)	Hon. Faith Wairimu Gitau, MP	Chief of the Order of the Burning Speaker (CBS)
(4)	Hon. Mohamed Mohamed Ali, HSC, MP	Chief of the Order of the Burning Speaker (CBS)
(5)	Hon. Raphael Sauti Bitta Wanjala, MP	Chief of the Order of the Burning Speaker (CBS)
(6)	Hon. David Kangogo Bowen, MP	Chief of the Order of the Burning Speaker (CBS)
(7)	Hon. Vincent Musyoka Musau, MP	Chief of the Order of the Burning Speaker (CBS)
(8)	Hon. Francis Kimani Kuria, MP	Chief of the Order of the Burning Speaker (CBS)
(9)	Hon. Lydia Haika Mnene Mizighi, MP	Chief of the Order of the Burning Speaker (CBS)
(10)	Hon. Abdi Omar Shurie, MP	Chief of the Order of the Burning Speaker (CBS)
(11)	Hon. Adan Haji Yusuf, MP	Chief of the Order of the Burning Speaker (CBS)
(12)	Hon. Gabriel Koshal Tongoyo, MP	Chief of the Order of the Burning Speaker (CBS)
(13)	Hon. George Macharia Kariuki, MP	Chief of the Order of the Burning Speaker (CBS)
(14)	Hon. (Dr.) John Kanyuithia Mutunga, MP	Chief of the Order of the Burning Speaker (CBS)
(15)	Hon. John Kiarie Waweru, MP	Chief of the Order of the Burning Speaker (CBS)
(16)	Hon. Nelson Koech, MP	Chief of the Order of the Burning Speaker (CBS)
(17)	Hon. Peter Lochakapong, MP	Chief of the Order of the Burning Speaker (CBS)
(18)	Hon. Stephen Wachira Karani, MP	Chief of the Order of the Burning Speaker (CBS)
(19)	Hon. Eric Karemba Muchangi Njiru, MP	Chief of the Order of the Burning Speaker (CBS)

S/No.	Name	Honours
(20)	Hon. Nelson Jack Wanami Wamboka, MP	Chief of the Order of the Burning Speaker (CBS)
(21)	Hon. Fatuma Zainabu Mohamed, MP	Chief of the Order of the Burning Speaker (CBS)
(22)	Hon. Rose Museo Mumo, MP	Chief of the Order of the Burning Speaker (CBS)
(23)	Hon. (Dr.) Benson Makali Mulu, MP	Chief of the Order of the Burning Speaker (CBS)
(24)	Hon. Janet Sitienei, MP	Chief of the Order of the Burning Speaker (CBS)
(25)	Hon. Francis Tom Joseph Kajwang', MP	Chief of the Order of the Burning Speaker (CBS)
(26)	Hon. Johnson Many Naicca, MP	Chief of the Order of the Burning Speaker (CBS)

*Members of the National Assembly Awarded Honours.*

Additionally, five (5) staff of the National Assembly were awarded honours as follows:

S/No.	Name	Designation	Honours
(1)	Dr. Martin Masinde	Director, Parliamentary Budget Office	Order of Grand Warrior (OGW)
(2)	Mr. Irungu Kigundu	Director, Finance and Accounting Services	Order of Grand Warrior (OGW)
(3)	Mr. Sheriffsam Mwendwa	Director, Litigation & Compliance	Order of Grand Warrior (OGW)
(4)	Ms. Sheila Chebotibin	Senior Serjeant-At- Arms	Head of State Commendation (HSC)
(5)	Mr. Benson Inzofu	Clerk Assistant I	Head of State Commendation (HSC)

*Table 6.1 - Staff of the National Assembly awarded honours*

## ANNEXURES

## Annexure I - Calendar of the Third Session



**REPUBLIC OF KENYA**  
**THIRTEENTH PARLIAMENT - (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**  
**CALENDAR OF THE NATIONAL ASSEMBLY (2024)**

IT IS NOTIFIED for general information that, pursuant to the provisions of Standing Order 28 of the National Assembly Standing Orders, by a resolution made on Wednesday, 14<sup>th</sup> February 2024, the National Assembly approved the Calendar of the Assembly (*Regular Sessions*) for 2024 as set out below: -

<b>TUESDAY, 13<sup>TH</sup> FEBRUARY 2024 – THURSDAY, 5<sup>TH</sup> DECEMBER 2024</b>	
PERIOD	DAYS
<b>FIRST PART</b>	
<b>A. Sitting Days:</b> Tuesday, 13 <sup>th</sup> February – Thursday, 21 <sup>st</sup> March 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>B. Short Recess:</b> Friday, 22 <sup>nd</sup> March – Monday, 8 <sup>th</sup> April 2024	
<b>C. Sitting Days:</b> Tuesday, 9 <sup>th</sup> April – Thursday, 2 <sup>nd</sup> May 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>D. Long Recess:</b> Friday, 3 <sup>rd</sup> May – Monday, 3 <sup>rd</sup> June 2024	
<i>Annual Prayer Breakfast on Thursday, 30<sup>th</sup> May 2024</i>	
<b>SECOND PART</b>	
<b>E. Sitting Days:</b> Tuesday, 4 <sup>th</sup> June – *Wednesday, 26 <sup>th</sup> June 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>F. Short Recess:</b> *Wednesday, 26 <sup>th</sup> June – Monday, 22 <sup>nd</sup> July 2024	
<b>G. Sitting Days:</b> Tuesday, 23 <sup>rd</sup> July – Thursday, 15 <sup>th</sup> August 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>H. Long Recess:</b> **Friday, 16 <sup>th</sup> August – **Monday, 16 <sup>th</sup> September 2024	
<b>THIRD PART</b>	
<b>I. Sitting Days:</b> **Tuesday, 17 <sup>th</sup> September – ****Friday, 18 <sup>th</sup> October 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>J. Short Recess:</b> **** Tuesday, 22 <sup>nd</sup> October – ***Monday, 4 <sup>th</sup> November 2024	
<b>K. Sitting Days:</b> ***Tuesday, 5 <sup>th</sup> November – Thursday, 5 <sup>th</sup> December 2024	Tuesdays (afternoon), Wednesdays (morning and afternoon) and Thursdays (afternoon)
<b>L. Long Recess:</b> Friday, 6 <sup>th</sup> December 2024 – Monday, 10 <sup>th</sup> February 2025	
<b>Annual suspension of Committee Sittings from 16<sup>th</sup> December 2024 to 26<sup>th</sup> January 2025</b>	

In accordance with the Standing Orders: -

- (a) *Morning Sittings commence at 9.30 am; and Afternoon Sittings commence at 2.30 pm.*  
(b) *The House may resolve to hold sittings on other days and times outside the published Calendar.*

**S. NJOROGI, CBS**  
**CLERK OF THE NATIONAL ASSEMBLY**

*“For the Welfare of Society and the Just Government of the People”*

[\*As amended on 25<sup>th</sup> and 26<sup>th</sup> June 2024]

[\*\*As amended on 7<sup>th</sup> August 2024]

[\*\*\*As amended on 17<sup>th</sup> September 2024]

[\*\*\*\*As amended on 16<sup>th</sup> October 2024]

## Annexure II - List of Nominees approved by the National Assembly in the Third Session

S/No.	Office	Nominee	Country/ Ministry
(1)	<b>High Commissioners</b>	Ms. Catherine Kirumba	London, United Kingdom
(2)		Hon. Joash Arthur Maangi	Kampala, Uganda
(3)		Hon. Lilian Tomitom	Lusaka, Zambia
(4)		Ms. Caroline Kamende Daudi	Ottawa, Canada
(5)		Lt. Gen. Peter Mbogo Njiru	Islamabad, Pakistan
(6)		Dr. Andrew Karanja	Brasilia, Brazil
(7)	<b>Ambassadors</b>	Hon. Fredrick Otieno Outa	Cairo, Egypt
(8)		Prof. Anne Kisaka Nangulu	Dakar, Senegal
(9)		Mr. Timothy Kaluma Mcharo	Algiers, Algeria
(10)		Hon. Christopher Lang'at	Abidjan, Côte d'Ivoire
(11)		Ms. Jessica Muthoni Gakinya	Rabat, Morocco
(12)		Hon. Halima Yussuf Mucheke	The Hague, Netherlands
(13)		Mr. David Kiplagat Kerich	Washington DC, USA
(14)		Ms. Everlyne Mwenda Karisa	Havana, Cuba
(15)		Dr. Peter Mutuku Mathuki	Moscow, Russia
(16)		Amb. Moi Lemoshira	Tokyo, Japan
(17)		Mr. Kenneth Milimo Nganga	Abu Dhabi, UAE
(18)		Lt. General Jonah Mwangi	Tehran, Iran
(19)		Mr. Abdi Aden Korio	Muscat, Oman
(20)	<b>Permanent Representative</b>	Ms. Getrude N. Angote	UNEP
(21)		Ms. Grace Atieno Okara	UN Habitat
(22)		Dr. Fancy Too	Geneva
(23)		Mr. Ekitela Erastus Lokaale	United Nations, New York
(24)		Hon. Ababu Namwamba	UNEP/ United Nations Office at Nairobi

S/No.	Office	Nominee	Country/ Ministry
(25)	<b>Consuls-General</b>	Mr. Ezra Chiloba	Los Angeles, USA
(26)		Mr. Aden Mohamud Mohamed	Jeddah, Saudi Arabia
(27)		Mr. David Iboko Lokemer	Dubai, UAE
(28)		Mr. Noor Yarow Gabow	Port-au-Prince, Haiti
(29)	<b>Director-General for Health</b>	Dr. Patrick Omwanda Amoth	
(30)	<b>Cabinet Secretaries</b>	Hon. (Prof.) Kithure Kindiki, EGH	Interior & National Administration
(31)		Dr. Debra Mlongo Barasa	Health
(32)		Hon. Alice Wahome, EGH	Lands, Public Works, Housing & Urban Development
(33)		Mr. Julius Migos Ogamba, EBS	Education
(34)		Hon. Soipan Tuya, EGH	Defence
(35)		Dr. Andrew Mwihia Karanja	Agriculture & Livestock Development
(36)		Hon. Aden Barre Duale, EGH	Environment, Climate Change & Forestry
(37)		Mr. Eric Muriithi Muuga	Water, Sanitation and Irrigation
(38)		Mr. Davis Chirchir, EGH	Roads & Transport
(39)		Dr. Margaret Nyambura Ndung'u	Information, Communication & the Digital Economy
(40)		Hon. John Mbadi Ng'ongo, EGH	The National Treasury and Economic Planning
(41)		Hon. Salim Mvurya Mgala, EGH	Investments, Trade & Industry
(42)		Ms. Rebecca Miano, EGH	Tourism, and Wildlife
(43)		Hon. James Opiyo Wandayi, EGH	Energy and Petroleum
(44)		Hon. Onesimus Kipchumba Murkomen, EGH	Youth Affairs, Creative Economy and Sports

S/No.	Office	Nominee	Country/ Ministry
(45)	<b>Cabinet Secretaries</b>	Hon. Hassan Ali Joho, EGH	Mining, Blue Economy and Maritime Affairs
(46)		Hon. (Dr.) Alfred Mutua, EGH	Labour and Social Protection
(47)		Hon. Wycliffe Oparanya, EGH	Cooperatives & Micro, Small and Medium Enterprises (MSME) Development
(48)		Hon. Justin Bedan Njoka Muturi, EGH	Public Service & Human Capital Development
(49)		Ms. Beatrice Asukul Moe	East African Community Affairs & Regional Development
(50)		Hon. Mutahi Kagwe, EGH	Agriculture & Livestock Development
(51)		Hon. William Kabogo	Information, Communication & the Digital Economy
(52)		Hon. Lee Kinyanjui	Investments, Trade & Industry
(53)	<b>Attorney General</b>	Ms. Dorcas Agik Odhong Oduor, SC, OGW	
(54)	<b>Inspector-General of the National Police Service</b>	Mr. Douglas Kanja Kirocho	
(55)	<b>Director-General of the Competition Authority of Kenya</b>	Mr. David Kibet Kemei	
(56)	<b>Chairperson of the National Gender and Equality Commission</b>	Hon. Rehema Dida Jaldesa	

S/No.	Office	Nominee
(57)	<b>Members of the National Gender and Equality Commission</b>	Mr. Michael Nzomo Mbithuka
(58)		Maj. Gen. (Rtd) Martin Kizito Ong'onyi, CBS -nominated by the Defence Council;
(59)		Mr. Mohamed Aden Abdi nominated by the Senate on behalf of County Governments;
(60)		Ms. Jane Gatakaa Njage nominated by the Teachers Service Commission;
(61)		Dr. Gilda Odera-nominated by an umbrella body representing employers;
(62)		Dr. Geoffrey Apollo Omondi - nominated by an umbrella body representing trade unions
(63)		Mr. Leonid Ashindu - Nominated by a joint forum of professional bodies.
(64)	<b>Chairperson of the Board of the Independent Policing Oversight Authority (IPOA)</b>	Mr. Ahmed Issack Hassan, CBS
(65)	<b>Members of the Board of the Independent Policing Oversight Authority (IPOA)</b>	Ms. Ann Wanjiku Mwangi
(66)		Dr. Micah Onyiego Nyakego, PhD, OGW
(67)		Mr. Boniface Kipkemoi Samati
(68)		Dr. Annette Mudola Mbogoh
(69)		Hon. John Muchiri Nyaga, HSC
(70)		Mr. Kenwilliams Nyakomitah, OGW
(71)		Ms. Jackline Lukalo Mwenesi
(72)	<b>Commission on Administrative Justice</b>	Mr. Charles Orinda Dulo
(73)		Hon. Charles Njagua Kanyi
(74)		Ms. Dorothy Jemator Kimengech
(75)	<b>Member of the Parliamentary Service Commission</b>	Sen. Wahome Wamatinga, MP
(76)	<b>Deputy Governor of the Central Bank of Kenya</b>	Mr. Gerald Nyaoma Arita
(77)	<b>Secretary/ Chief Executive Officer of the Ethics and Anti-Corruption Commission</b>	Mr. Abdi Ahmed Mohamud, MBS

S/No.	Office	Nominee
(78)	<b>Chairperson of the Public Service Commission</b>	Mrs. Mary Wanjira Kimonye, CBS
(79)	<b>Members of the Public Service Commission</b>	Mr. Harun Maalim Hassan
(80)		Ms. Mwanamaka Amani Mabruki, CBS
(81)		Mr. Francis Meja
(82)		Dr. Irene Cherotich Asiega
(83)		Mr. Boya Molu, EBS
(84)		Ms. Joan Andisi Machayo
(85)		Dr. Francis Otieno Owino, CBS

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