

NATIONAL ASSEMBLY

OFFICIAL REPORT**SPECIAL SITTING****Tuesday, 17th January, 2017**

The House met at 9.30 a.m.

*[The Speaker (Hon. Muturi) in the Chair]***PRAYERS****QUORUM**

Hon. Speaker: Hon. Members, we do not have quorum as yet. I order that the Quorum Bell be rung until we get quorum.

(The Quorum Bell was rung)

Order Members! We now have quorum and may commence business.

PAPERS LAID

Hon. Baiya: Hon. Speaker, I beg to lay the following Papers on the Table of the House, today, Tuesday, 17th January, 2017:

The Reports of the Departmental Committee on Justice and Legal Affairs on its vetting of a nominee as Chairperson of the Ethics and Anti-Corruption Commission and nominee as Chairperson and Members of the Independent Electoral and Boundaries Commission (IEBC).

Hon. Speaker: Very well. Let us move on to the next Order.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON APPOINTMENT OF EACC CHAIRPERSON

Hon. Baiya: Hon. Speaker, I beg to give notices of the following Motions:

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the vetting of nominee for appointment as Chairperson of the Ethics and Anti-Corruption Commission (EACC), laid on the Table of the House on Tuesday, 17th January 2017, and pursuant to the provisions of Section 10(3) of the Ethics and Anti-Corruption Commission Act, 2011 and Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011,

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approves the appointment of Archishop (Rtd.) Dr. Eliud Wabukala Wamukekhe as Chairperson of the Ethics and Anti-Corruption Commission.

ADOPTION OF REPORT ON APPOINTMENT OF IEBC CHAIRPERSON/MEMBERS

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the vetting of nominees for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission, laid on the Table of the House on Tuesday, 17th January, 2017, and pursuant to the provisions of the First Schedule of the Independent Electoral and Boundaries Commission Act, 2011 and Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, approves the appointment of the following as Chairperson and Members of the Independent Electoral and Boundaries Commission:

| | |
|--------------------------------------|---------------|
| Mr. Wanyonyi Wafula Chebukati | – Chairperson |
| Amb. (Dr.) Paul Kibiwott Kurgat, PhD | – Member |
| Mr. Boya Molu | – Member |
| Prof. Abdi Guliye | – Member |
| Dr. Roselyne Kwamboka Akombe | – Member |
| Ms. Margaret Wanjala Mwachanya | – Member |
| Ms. Consolata Nkatha Bucha Maina | – Member |

Hon. Speaker: Let us move on to the next Order.

PROCEDURAL MOTION

LIMITATION OF SPEAKING TIME ON SPECIFIED MOTIONS

Hon. A.B. Duale: Hon. Speaker, I beg to move the following Procedural Motion:

THAT, notwithstanding the resolution of the House on 10th February, 2016 regarding limitation of speaking time during debates, this House further resolves that, during the Special Sitting of today, 17th January, 2017, debate on the Motions specified hereunder shall be limited as follows-

(a) Motion for consideration of nominee for appointment as the Chairperson of the Ethics and Anti-Corruption Commission: A maximum of two (2) hours with not more than twenty (20) minutes for the Mover and five (5) minutes for each other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party, and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply, and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party in that order;

(b) Motion for consideration of nominees for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission: A maximum of four hours with not more than thirty (30) minutes for the Mover and ten (10) minutes for each other Member speaking, except the

Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply, and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party in that order.

Hon. Speaker, this is the only business we have this morning. The Procedural Motion is a proposal to set limitation of debate for the two Motions listed in the afternoon's Order Paper. Informed by the resolution of the House on 10th February, 2016, and pursuant to provisions of Standing Order No.97(1), I propose that the first Motion takes a maximum of two hours from 2.30 p.m. this afternoon. In my proposal, you will realise that all Members will speak for five minutes each, including my colleague, the Leader of the Minority Party and myself during debate on the Motion for the consideration of the nominee for appointment as the Chairperson of the EACC.

I also propose that the second Motion takes a maximum of four hours. My assumption is that if we start business at 2.30 p.m., we would have concluded the first Motion by 4.30 p.m. Thereafter, we will begin debate on the second Motion from 4.30 p.m. up to 8.00 p.m. or 8.30 p.m. to give Members an opportunity to interrogate that matter.

In this regard, the Procedural Motion is purely for time management. Why are we allocating four hours? This is because the second Motion is important to the country. We felt that we can give Members a chance to read the reports of the Committee for both motions between now and the afternoon. Once we are back at 2.30 p.m., I will ask our colleagues to persevere with us and sit until 8.00 p.m. so that each and every one of us gets an opportunity to speak to both motions.

I beg to move and ask Hon--- In terms of seniority, I do not know whether I should call the Chief Whip of the Minority Party or his deputy because both of them want to speak. I will follow the Standing Orders and ask Hon. Mwachugu to second.

Hon. Mwachugu: Asante Mheshimiwa Spika kwa mjadala huu asubuhi hii na kwa kunipatia nafasi niuunge mkono. Tukiunga mkono mjadala huu, ni muhimu tukubaliane sote Wabunge kuwa tumeitwa kwa Kikao Maalum kuangalia Hoja ambazo ziko mbele yetu. Hoja ni kuangalia waliopendekezwa kuwa Mwenyekiti anayeangalia shirika linalohusika na ufisadi na hao ambao watakuwa wakiangalia mambo ya usajili na mipaka ili tuhakikishe kuwa upigaji kura utahalalishwa, na wenyewe ni watu ambao wamehalalishwa na Bunge. Hii ndio maana tumeitwa tuje Bungeni siku hii ya leo kwa Kikao Maalum.

Tumeangalia yale masaa na muda ambao unaombwa Wabunge wauchukue kwa mjadala wa kwanza kuanzia 2.30 p.m. hadi 4.30 p.m., na mjadala wa pili kuanzia 4.30 p.m. hadi wakati tutaumaliza hata kama ni saa mbili usiku au zaidi ya hivyo. Ni muhimu Wabunge waje watoe hoja, maoni na mapendekezo yao waziwazi ili tukienda kwenye uchaguzi tuwe sote tumeridhika kuwa wale ambao wamependekezwa wanaweza kufanya kazi hii, na kwa niaba ya wananchi wa Kenya, watatekeleza wajibu wao. Bila shaka Wabunge watapata nafasi ya kusoma Ripoti ya Kamati ambayo imepeanwa hivi sasa ili tukija mchana, tuwe tumejua yale ambayo yamesemwa humo ndani na tunaweza kutoa maoni na mapendekezo yetu bila mapendeleo yoyote.

Kwa haya machache, ninaomba niunge mkono muda ambao umependekezwa wa dakika tano kwa kila Mbunge ili apate kutoa mapendekezo yake. Ninatamatisha na kuunga mkono Hoja hii.

(Question proposed)

Hon. Members: Put the Question.

Hon. Speaker: Is it the mood of the House that I put the Question?

Hon. Members: Yes!

Hon. Speaker: Hon. Members, I do not see any Member desiring to speak save for some Members who may be smiling. I do not know whether a smile is intention of desire to speak.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon. Members, that concludes the business for this morning. For the benefit of Members, the reports on both Motions are ready and sufficient copies have been produced and are available in Room 8. I, therefore, advise that each Member picks copies of the two reports and reads in readiness for debate this afternoon.

The House stands adjourned until 2.30 p.m. this afternoon.

The House rose at 9.59 a.m.